

**LESSON 1****THE UNIQUE NATURE OF THE PAKISTANI NATION-STATE**

Some scientific estimates state that human beings in their present form have lived together for about the past 200,000 years.

However, records of history i.e. in symbolic scripts such as hieroglyphics, symbols, figures, inscriptions on tablets, writings on papyrus, text on paper, when taken together begin to cover only the past 5000 to 6000 years. We have no documented records for about 97% of human history!

Different forms of social and political organisation have evolved in the 6000 years for which records are available.

These organisational forms begin at the most basic level with tribes and clans, with small-scale principalities, with large-scale monarchies, with communities clustering together to become regional entities or alliances, and then, more recently, emerging on a major scale as distinct peoples, countries and nations. The phenomenon of colonialism at different times in history and particularly in the 18<sup>th</sup> and 19<sup>th</sup> centuries also had a decisive influence on shaping these new identities.

In the 20<sup>th</sup> and 21<sup>st</sup> centuries, the form and structure in which the peoples of the world have organised themselves and the basis on which they relate to each other, is the form and structure of the “nation-state”. This lecture is not meant to provide a detailed history of how the nation-state structure has evolved. That aspect is better covered in detail in a separate course.

The aim of this lecture in this course is to establish the unique nature of the Pakistani nation-state: in the context of the world that exists in the 21<sup>st</sup> century, in which there are 191 member-states of the United Nations, each with one identical vote in the UN General Assembly but which are, at the same time, quite different from each other. They also reflect the existence of 5 distinct categories of nation-states.

It is relevant to note at the outset that a state need not comprise a single nation. One state may comprise several nations within itself because these nations have agreed to live together within a singular political structure called a “state”.

However, by the act of different nations living together, they inevitably surrender some of their individual features that make them separate nations and therefore become part of a broad, general, singular, new “nation-state” identity.

In the opinion of some significant leaders and substantive numbers of people in Pakistan as well, Pakistan itself is an example of a “multi-national state”. There is a political movement which describes itself as: “Poonam”: “The Pakistan Oppressed Nations Movement”. This movement does not have notable representation as a result of the October 2002 elections in the Federal Parliament or in the Provincial Assemblies. But the fact is that some of its leaders have been elected by popular vote to the legislatures.

In the opinion of many, Switzerland is also an example of a “multi-national” state. There is a distinct French-speaking part of Switzerland, the German-Swiss part of Switzerland and an Italian-Swiss part of Switzerland. And there is also a fourth part which claims to be the original, genuine Swiss-part of Switzerland! Yet, Switzerland has existed as a singular and stable country for several hundreds of years, and as a declared “neutral” state.

Be that as it may, the focus of this lecture is on the unique nature of the Pakistani nation-state. The reasons for making this strong and extreme claim about the uniqueness of Pakistan will become apparent when we examine the categorisation of the 191 members of the UN into 5 categories. These categories have been created purely at the discretion of the lecturer and there is therefore a subjective and arbitrary aspect to this categorisation.

This categorisation into 5 types of nation-states is open to challenge and to amendment. But, for the purposes of this lecture, and for the purpose of explaining why Pakistan is truly unique, the categorisation is a necessary and unavoidable starting point.

The first category of nation-states may be described as those countries that have had a virtually uninterrupted and sustained existence with approximately the same features for a very long time i.e. in some cases starting from the very beginning of recorded human history. Located continuously in a particular part of the planet, despite being subject to war and invasion and despite the fact that there may have been more than one kingdom or power in that same single “country”, these countries have, more or less, always been recognised as: China, as Egypt, as Persia, as England. The people who have lived in these locations have also shared for a very long time: ethnic, linguistic and cultural features.

Their present borders may not exactly be the borders that have existed at different times in history but, in a general sense, the China we think of which existed about 2000 years ago is still in the same place and with the same people that China is to be found today in 2005/2006.

So China and certain other countries comprise the first category of: “historical nation-states”. There is then the second category which may be described as: “migratory nation-states”. There have been instances in history where people in fairly large numbers living in one part of the world sailed across oceans e.g. Vikings from Scandinavia going to parts of North Eastern America (long before Columbus at the end of the 15<sup>th</sup> century) but they did not represent the kind of sustained mass migration of tens of thousands of people as was witnessed in the 400 years between the 15<sup>th</sup> and the 19<sup>th</sup> centuries when people left different countries of Europe (“Europe”, in the broadest sense, including England, Scotland, Spain, France, Germany, Netherlands, Russia, Ireland) to go to areas as far away as New Zealand, Australia, North, Central and South America and to Southern Africa. Some of this mass migration was “forced” migration e.g. convicted prisoners from England sent to Australia to serve out their sentences, some of this migration was due to religious persecution (e.g. Protestants in Europe), some of it due to severe economic needs e.g. scarcity of food in Ireland. A large part of this migration was driven by the search for new resources and wealth.

Unlike those who migrated with a colonial objective, and who returned to their home countries after the occupied countries became free and independent, the second category of nation-states described as “migratory nation-states” represent examples where people migrated on a permanent basis.

The original, indigenous people who had historically lived in those territories to which the migrants came were displaced from their homes and their lands by force and violence, and a vast majority of the original population perished due to infectious diseases brought by the new migrants from Europe and due to slaughter and killing ensuing from the competition for control of land and resources.

The original populations were eventually banished to their own confined reservations and cut off from the new incoming people who proceeded to build new political, social and economic systems.

Most of these migratory nation-states went on to become some of the most advanced and successful examples of well-governed nation-states in terms of democracy, rule of law and economic progress (e.g. Canada, New Zealand, Australia, U.S.A.).

In many of these countries – but not all – the injustices done to the original people have been sought to be compensated on a belated basis. Though in the opinion of some, such “compensation” is still extremely inadequate and unable to undo the grave historical injustices.

Nevertheless, the fact is that migratory nation-states have become prime examples of a distinct category of successful nation-states.

After the end of racial segregation in South Africa and the related end of the system known as “apartheid” in 1990, South Africa also becomes an example of a “successful” migratory nation-state because, in the context of physical infrastructural development, and in several key economic indicators, South Africa is the most developed country on the African continent. This owed largely to the “progress” made before 1990 but also sustained thereafter by the government that now truly represents the vast majority of the (black) people of

South Africa as distinct from the pre-1990 government which represented only a small percentage (white skins only) of the total population.

The third category of nation-states can be described as “permuted states”. This term seeks to describe those countries in which, in prior history, two, or more political forces and powers were in frequent conflict with each other, sometimes living peacefully with each other as easy, or uneasy neighbours, but not functioning as a singular entity, despite sharing some of the basic features required for recognition as a single nation.

When such situations produced leaders of exceptional strength and determination with the vision to create new collective identities, the result was that Germany emerged as a nation-state under the leadership of Chancellor Bismarck in the second half of the 19<sup>th</sup> century while in the same century, personalities like, Mazzini, Cavour and Garibaldi helped create the start of the contemporary version of the Italian nation-state.

Thus, ostensibly diverse and discordant parts were brought together to create a new pattern and potency in the form of a shared identity. The fourth category of nation-states can be described: “post-colonial nation-states”. By this term, it is meant to refer to those states in which there may exist some long, medium or short-term historical origin of national identity or there may well exist some degree of distinct identity as a kingdom or as a country prior to the contact between an invading colonizing force from outside, from close by or from far away.

It is notable that colonialism did not occur only between, say, Christian countries that occupied non-Christian countries (e.g. as with British-occupied South Asia). Colonialism also occurred within the same religion (e.g. by the Muslim Ottoman Turks who occupied fellow Muslim, Arab lands in Egypt and other parts of the Middle East). With new directions developing soon after the First World War (1914 – 1918) but gathering momentum after the Second World War (1939 – 1945), most of the territories occupied by colonial powers achieved independence and freedom from the occupying forces.

However, due to several factors, in many such cases, the boundaries of the newly independent nation-states that emerged with the departure of the colonial forces were different from the boundaries that existed of the same country or area before the encounter with colonialism.

For example, while historically, there has always been a place called Baghdad or Mesopotamia or, in Africa, the Kingdom of Buganda, the nation-states that became independent and which exist today in the 21<sup>st</sup> century known as Iraq, Jordan, Kenya, Uganda and others did not exist in similar name, form and territory before colonialism came to their respective parts of the world.

Often, for their own ulterior purposes, or as a result of weak, confused policies, the departing colonial powers deliberately changed, distorted or mutilated the boundaries and territories which they had encountered when they first came to different parts of the world.

Facing the prospect of leaving these territories as colonial powers, in some cases they wanted to protect new vital interests over a long-term period, as in the case of oil reserves discovered in large quantities in the Middle East at a time when the economies of Europe and North America were becoming crucially dependent on oil as the primary source of energy.

By one credible interpretation, the vital interests of colonial powers such as Britain and France were to “divide” the Middle East after the First World War in such a way that, even after they left the area as colonial powers, there would be new entities in the form of local, national personalities and systems that would align with the (former) colonial powers and ensure continued access to oil.

Another factor, particularly relevant to the Middle East, was the fact that the old, historical Ottoman empire inherited by what turned to be the last Caliphate of Islam was formally abolished by the new government of Turkey in 1922 led by Mustafa Kamal Attaturk who had led the overthrow of the weak and decaying Ottoman empire which had been an ally of the losing side in the First World War i.e. Germany. Thus, war created the post-colonial nation-states with an undeniable linkage with their own history, but now existing in new forms, with arbitrarily drawn frontiers.

We then come to the 5<sup>th</sup> category of states. This could be described as religion-based states. Formally speaking, there are only two which belong to this category. These are: Israel and Pakistan. Though there are

fundamental differences between the two. After the 1978 revolution, Iran could also be placed in this category but Iran as Persia is already placed in the first category. In passing, it is relevant to note that there is a country that proudly calls itself as: “the only Hindu kingdom of the world” i.e. Nepal. But Nepal belongs, strictly speaking, more to the first category of historical states than to any other. It could not even be included in the 4<sup>th</sup> category i.e. the post-colonial nation-states because it was not formally occupied by the British during their tenure in South Asia but certainly remained subject to their influence from Calcutta and New Delhi.

Referring to the 5<sup>th</sup> category of nation-states: the creation of Israel can be credited to the political movement known as Zionism which developed force in the late 19<sup>th</sup> century and culminated successfully with the formal establishment of Israel in 1948. While Zionism pre-dominantly aimed for the possession – or rather, repossession – of a homeland for the Jews, it should also be remembered that in some respects, Israel is a “secular” country rather than a theocratic or purely religion-based state. For example, unlike Iran in which the unelected religious theologians have the power to veto what the elected assembly may decide, in the case of Israel it is only through a democratic and elective process that decisions concerning the state and government can be taken. Theologians or religious extremists may be elected into parliament but they do not have a separate or specific status in the constitution, unlike Iran which grants a special status to the guardianship council. The judiciary in Israel is also strongly independent of the executive, unlike Iran and Pakistan.

It is also relevant to note that in Judaism there are several sects. One sect is totally e.g. the opposed to the very creation and existence of Israel because it believes that the formation of a state structure restricts and distorts the spirituality of Judaism and of the limitlessness of its creed. This aspect is ironically similar in some ways to the views of certain prominent Muslim religious leaders in British-occupied India, who opposed Quaid-e-Azam Muhammad Ali Jinnah and the demand for Pakistan on the grounds, amongst several, that the formation of a specific and restricted homeland for the Muslims of undivided India would go against the basic concept of a dynamic, worldwide Muslim Ummah, which transcends mere national frontiers. They also opposed Pakistan on the basis that it would not serve the interests of Muslims living in Hindu-majority parts of undivided India and who would not be able to migrate whole-sale to the new state of Pakistan.

Yet we do need to reflect on the intrinsic differences between Israel and Pakistan, despite both states being motivated by religious faith. Israel can make a reasonably valid claim that the people of the Jewish faith, as the world’s oldest monotheistic religion, have a direct relationship with the area in and around Jerusalem and some other parts of the Middle East by virtue of the locations and landmarks (shared by Christians and Muslims) where Prophets Abraham, Moses and other venerated Prophets also lived and preached in the same locations. Monuments related to the history of Judaism are also located in these parts of the world. Even as we oppose the illegal, forced occupation of the Palestinian lands in 1948 by Israel with the support of Britain, France and others after the Second World War and in particular the annexation by Israel of the West bank in the 1967 War, we cannot deny that Israel does have a deep and long association with at least a part of its own territory. Indeed, in 2005, the Government of Pakistan has stated that if Israel accepts and facilitates the creation of an independent Palestinian state, Pakistan, along with other Muslim countries will be prepared to consider full-fledged relations with it. Certain Muslim countries such as Egypt, Jordan, Morocco, Qatar and Turkey already have formal relations with Israel.

In the case of Pakistan, in contrast to the long and deep association between the religion of Judaism and the territory of Israel, there is no similar and direct connection between the emergence of Islam as a religion, and the territories that constitute even the present-day form of Pakistan in 2005 – 2006. This applies even more to the original form of Pakistan that existed from 1947 to 1971 when East Pakistan was also part of Pakistan. Neither that version of Pakistan, nor the present territory of Pakistan has a direct territorial linkage with the origin of Islam at the time of the Holy Prophet (MAY PEACE BE UPON HIM). By way of some kind of “compensation” for this lack of a direct link between the territory of Pakistan and the origins of Islam, and the demand for Pakistan, it is stated that the sheer number of Muslims who lived in undivided India up to 1947 made the creation of Pakistan inevitable.

Similarly, there is also the view that Pakistan is simply the unavoidable, inevitable culmination of the process that began when the first Muslims reportedly arrived in South Asia in the 7<sup>th</sup> century A.D. some years after the passing away of the Holy Prophet of Islam (may peace be upon him) but the more well-known turning

point being the arrival of Muhammad Bin Qasim in Sindh in 712 A.D. Even though it then took almost 300 years (precisely: 285 years) before the next major Muslim “wave” came to this part of the world when Subuktgin from Central Asia came through the Khyber Pass into South Asia, followed soon after by his son Mahmood of Ghazni, who invaded India 17 times.

Partly as an expression of this view, it is relevant to note the step-by-step evolution of the idea of a separate Muslim identity in South Asia eventually becoming the idea of Pakistan. Reference should be made to the excerpt from the book titled: “Rahmat Ali: a biography” by K.K. Aziz published by Vanguard Books (Pvt) Ltd., Lahore, 1987. From page 51 to page 73, this eminent historian of Pakistan who has developed this particular element into a full-scale book published separately titled: “A history of the idea of Pakistan” published by Vanguard Books (Pvt) Ltd., Lahore, 1987. In his biography on Rahmat Ali, in the chapter titled: “Birth of an idea”, the scholar identifies how, and by whom and when over a period of almost 100 years, the concept of what eventually became Pakistan moved from one form to another.

There is also the view by another scholar, Allan McGrath in his book: “The destruction of democracy in Pakistan” where, on page 1, he states: “.... (Pakistan) was almost an eleventh hour creation” (i.e. a last-minute creation!). See attached excerpt from the book. The principal conversion of people to Islam in South Asia was inspired by the great non-violent, peace-loving Sufi saints. Another way to “compensate” for the lack of an old religious link between territory and identity is the fact that parts of post-1971 Pakistan inherited two of the oldest pioneering landmarks of human civilization, and not only Islamic civilization, in the form of the Mehargarh ruins which reveal a 7000 year-old settlement in Balochistan, and the remnants of the 5000 year-old Indus Valley Civilization in Mohenjodaro in Sindh.

It can be said that even though Pakistan did not exist in history as a country like China did as a nation-state, it is truly a unique “new” nation whose future, particularly in the 21<sup>st</sup> century, will eventually become its history! Yet another feature that sets Pakistan apart from Israel to make Pakistan even more unique is in the nature of its name. The word “Pakistan” is of extremely recent origin because it was innovated by Chaudhry Rehmat Ali in 1932 – 33 and gained currency as a word only several years later because initially it was not even used by the leaders of the Muslim League. So much so that even the famous document which we call the “Pakistan Resolution” that was adopted by the Muslim League on 23/24 March, 1940 in Lahore does not contain the word “Pakistan” in any part of its text. It was only between 1940 and 1946 that the word “Pakistan” became a popular slogan.

This is an important factor of uniqueness because words and names like “Israel” are over 1400 years old: it even appears in the Holy Quran itself (e.g. Surah 3, Verse 93). The names of other nation-states are also old words with names such as China, Egypt and Persia. The older the name, the more resonance and depth it gives to an identity because the alphabets and vowels and the meaning associated with an old word are well-known and widely accepted and have become part of people’s identities and history and collective memory. In contrast, it takes several generations, if not hundreds of years for a new word, particularly the name for a whole new national identity, to take similar root and acquire strength and depth.

Compared to the names of nations that have been around for hundreds and thousands of years, what makes “Pakistan” unique is its extremely young, tender age (only about 70 years) even as a word! In this sense, the word “Pakistan” is: a “baby” name!

A further point of difference between Israel and Pakistan is that unlike the rigid, inflexible approach of Zionism for an Israel controlled pre-dominantly by Jews, the Quaid-e-Azam and the Muslim League were willing to live within a singular confederated type of undivided India even up to about March 1947 i.e. up to just 6 months before its independence in order to avoid the terrible displacement of human lives and affinities.

The British Government had formulated what is known as the Cabinet Mission Plan in which a new, independent undivided India would be comprised of 3 tiers and different kinds of regions to enable adequate participation for, and representation of, the Muslims in an of undivided independent India. By way of an experiment in this direction, an interim government was also formed in 1946 in which both the Congress Party and the Muslim League were represented.

As the Finance Minister of this interim government, Mr. Liaquat Ali Khan presented a bold and innovative budget for such an undivided India in February 1947. The budget was so bold that it created fears amongst the Congress leadership and in elements of the Hindu business community that their historical control of wealth and influence would be diluted if such budgets continued to be presented.

The leadership of the Congress Party also made inconsistent and unacceptable twists and turns under the Cabinet Mission Plan resulting in its complete failure by March 1947. The British Government (had already secretly) decided to replace its own Viceroy, Lord Wavell, who was otherwise a very fair-minded and balanced representative compared to the Viceroy who replaced him as the last Viceroy of India and as the first Governor General of India: Lord Mountbatten.

The British Government had already announced that it would withdraw from undivided India by July 1948. However, it was Lord Mountbatten's own desire to accelerate the whole time-frame and impose an arbitrary deadline on the movement towards independence for Pakistan and India. With the ill-considered approval of the British Government, he announced the Partition Plan on 2<sup>nd</sup> June, 1947 by which India and Pakistan would come into being in mid-August 1947 i.e. at only 10 weeks' notice.

Thus, it can be said that Pakistan is also the only nation-state to be created at 10 weeks' notice because, in contrast, the independent India that came into being on 15<sup>th</sup> August 1947 inherited a vast, already-functioning infrastructure headquartered in New Delhi whereas there was no similar large infrastructure for a new state functioning from Karachi.

Legally and diplomatically speaking as well, the new Indian state was designated as the "successor state" of British India, acquiring all the related advantages.

From being a small town of a few hundred thousand people in 1947, Karachi was forced to become, almost overnight, the capital not only, for the vast new territory of West Pakistan, but also the capital for a whole new state with the majority of the population residing far away in East Pakistan.

The very structure of the new nation-state comprising of two wings separated by 1000 miles of hostile territory gave it yet another unique feature: of being a nation-state whose territorial structure was entirely different from all other countries. The next facet that makes Pakistan so different from other nation-states is easily the most tragic facet. Some other nation-states have been created after several years of violent struggle. But virtually none have witnessed the bloodshed of as many as 1 to 2 million non-combatant civilians immediately before, and substantially after the announcement of independence as happened in the case of Pakistan. Millions of Muslims from undivided India had to suffer abominable brutalities and atrocities in 1947 as they attempted to move from their villages and hometowns across the new frontiers into Pakistan on foot, by bullock cart, or by train. Bloodshed also tragically happened in the other direction as well, when several million Hindus migrated from East Pakistan into West Bengal and to other parts of India, and Sikhs and Hindus from West Pakistan moved into India. Green is one of the two great colours in the flag of Pakistan. But the birth of Pakistan was drenched in blood red.

The absurd, short time-frame given to prepare for Pakistan's independence meant that the Central Government in Karachi had to begin functioning, in many cases and in most offices, without furniture, without basic utilities and without those resources which are recognized as being minimally essential to manage any organization. To make matters worse, India deliberately withheld release of funds and supplies owed to Pakistan under the Partition Plan in order to make the desire of some of its leaders come true to the effect that: "this new country will not last more than 6 months." It took a "fast unto death" by the highest level of the Indian leadership i.e. by Mahatma Gandhi himself, in January 1948 to compel the Indian Government to release the funds, military supplies and other resources that rightly belonged to Pakistan.

No other country suffered this kind of discrimination within months of being created with virtually no infrastructure. In these conditions of acute need, of shortages of food and resources Pakistan faced the enormous challenge of receiving, settling, feeding, providing clothing and shelter, to millions of the refugees who had managed to migrate safely from India during and after the phase of independence. Some commentators have described the scale of this transfer of population as: "the largest-ever migration of this kind in so short a time".

This influx of about 8 to 10 million people placed a severe strain on a system and an infrastructure that was already stretched to the limit and it was only the extraordinary courage and hospitality shown by the people of Pakistan, both those who received the new refugees, and those who came seeking to build a new country, which enabled the new nation-state to survive the extremely difficult first two to three years i.e. 1947, 1948, 1949.

As if the overwhelming numbers of refugees and the complex problems of their settlement and rehabilitation were not enough, Pakistan had to face yet another unique challenge in having to enter into an armed conflict with Indian forces in the disputed area of Jammu and Kashmir within months of being established as a nation-state. The logistical and military problems were compounded by the fact that, at this first stage of the nation's history, most of the senior officials of the Pakistan Army including its first two commanders-in-chief i.e. General Messervy (August 1947 – January 1949) and General Gracey (January 1949 – January 1951) were both British officers rather than being of Indian or Pakistani origin. While ostensibly, even British officers were subject to the discipline of the independent Government of Pakistan and to the directives of the Governor-General of Pakistan Quaid-e-Azam Muhammad Ali Jinnah, in actual operation, the British commanders-in-chief of the Pakistan Army remained subject to their loyalty to the British Government which had posted these officers “on loan” to the Pakistan Army.

Thus, when a situation arose within months of the creation of Pakistan, when the Governor-General directed the British commander-in-chief of the Pakistan Army to dispatch troops to Kashmir to counter the illegal presence of Indian Army troops, the British General regretted his inability to do so on the grounds that, if acted upon, there was a danger that the British officers commanding Pakistani troops would come into direct conflict with British officers commanding Indian troops.

So under-resourced was the Pakistan Defence sector at that time, both in terms of officers and equipment that even as strong-willed a man such as the Quaid-e-Azam had to accept this defiance of his directive without being able to dismiss or punish the officer.

Few, if any, nation-states in the world have had to go through conditions such as these at the very time of their formation. There were gross imbalances in important aspects of infrastructure that placed the newly-born nation-state of Pakistan at a tremendous disadvantage compared to India. For example, even though the primary commodity and foreign-exchange earning source of jute was largely grown in East Pakistan, its processing factories were almost exclusively located in Indian West Bengal. There were only a few bank branches in the entire territory of West Pakistan compared to hundreds all across India. There was also a “flight of capital” from these few bank branches in Pakistan when Hindus migrated in large numbers to India.

Water being the single most vital need for human survival also became critically scarce when, within months of Independence, India arbitrarily cut-off required flows from headworks (of canals) located in India. It took several months of negotiations for resumption of minimal flows.

As if the hostility of a vastly better-resourced India was not enough to pre-occupy a fledgling new state, a second neighbour initiated its own separate hostility to Pakistan. When Pakistan submitted its application for membership of the United Nations soon after independence, the only country to formally oppose this application was Afghanistan on the grounds that it did not accept the Durand Line as a valid frontier between Afghanistan and Pakistan. It was only after intense diplomatic activity by Pakistan and some other sympathetic States that Afghanistan eventually withdrew its objection and Pakistan became a member of the UN.

Finally, the very individual who had virtually single-handedly steered Pakistan into existence was able to work effectively for less than 10 months after its creation. The health of the Quaid-e-Azam began to decline sharply after about February 1948 until, onwards of July 1948, he had to withdraw completely from any public activity, being obliged to move to Ziarat in Balochistan before his demise in Karachi on 11<sup>th</sup> September 1948.

In specific contrast in India, despite the assassination of Mahatma Gandhi in January 1948, Jawaharlal Nehru lived on to remain Prime Minister of India for the crucial first 17 years of its independence and was able to ensure that an independent India proceeded in the directions in which its founding fathers wanted it to go.

In Pakistan, its founding father was able to exercise an influence for less than 10 months in comparison to the 17 years that Mr. Nehru was able to provide to India. Once again, it is difficult to find an example similar to how Pakistan was deprived of the leadership of its founding father so soon after its birth. Mr. Jinnah's importance to Pakistan, the magnitude of his loss and his place in history are well-reflected in the opening sentences written by the reputed American scholar, Stanley Wolpert, in his biography titled: 'Jinnah of Pakistan'.

"Few individuals significantly alter the course of history. Fewer still modify the map of the world. Hardly anyone can be credited with creating a nation-state. Muhammad Ali Jinnah did all three". For all the reasons noted earlier, Pakistan can justifiably be described as a unique nation-state compared to all the other members of the UN.

In each of the reasons given for making the claim that Pakistan is truly unique, there is an inspiring and positive dimension because it is demonstrated that, despite exceptional adversities, Pakistan was able to overcome the problems and survive for the crucial first three or four years after it secured independence. Regrettably, even though Pakistan overcame monumental problems at its birth, and soon after its birth, Pakistan was unable to sustain this capacity to survive in critical times when the situation deteriorated 24 years after 1947. In March 1971, President General Yahya Khan postponed the pre-scheduled first meeting of the newly-elected National Assembly and unleashed violent, large-scale action against the Awami League and others in East Pakistan. This colossal blunder allowed India to eventually become an open and aggressive force in encircling East Pakistan and ensuring the disintegration of the original Pakistani nation-state with the signing of the surrender document on 16<sup>th</sup> December 1971 in Dhaka.

With that act on that date, Pakistan added the single most unwelcome factor that makes it truly unique because Pakistan became the first state after World War II to actually disintegrate. The birth and survival of Pakistan between 1947 and 1950 were marked by extraordinary difficulties and unprecedented hardships, representing a great saga of rare courage and determination overcoming enormous odds. Along with the exclusive background features referred to previously in this text, Pakistanis can take genuine pride in belonging to a nation that is truly unique, that has an almost unrivalled capacity for resilience and renewal particularly for a nation so young and new.

Fortunately, after 1971, by rediscovering and re-asserting inner resources of will, by the informal yet unmistakable evolution of the identity of "Pakistaniat", by being able to overcome many new odds, Pakistan has survived to become, in the words uttered in 2005 of India's extremist, as well as moderate leadership "Pakistan is now an unalterable reality".

In conclusion, Pakistan is unique by virtue of its name, the nature of its origins, the form, circumstances and structure of its creation, its initial conditions, in its disintegration and in its re-generation and renewal, all of which will be the subjects of lectures to follow.

Excerpts from books for this hand-out:

- 1) From "Pakistan: the formative phase 1857-1948" by Khalid bin Sayeed, published by Oxford University Press, Pakistan, 1968/1998, pages 3 to 12 of chapter titled: "Conflicting views about the origin of Pakistan"
- 2) From: "Rahmat Ali: a biography" by K.K. Aziz, published by Vanguard Books (Pvt) Ltd., Lahore, 1987, pages 51 to 73 from the chapter titled: "The birth of an idea: 1933"



**LESSON 2****“PAKISTAN: THE FIRST 11 YEARS 1947-1958” PART 1**

The reason for defining a framework of 11 years i.e. from 1947-1958 is the fact that the civil, political process prevailed in this period. It was in October 1958 that this desirable and ideal process i.e. the civil, political process — which, in real life, in virtually every country of the world is far from ideal! — was disrupted by the abrogation of the Constitution and the introduction and imposition of martial law. October 1958 therefore marks a fundamental turning point in the history of Pakistan.

When we attempt the task of evaluating the progress of a nation-state, one of the first questions that arises is: when exactly should we evaluate a nation-state? Perhaps one of the answers to that question is related, in turn, to the question as to which of the 5 categories of nation-states spelt out in Lecture #1 does a particular nation-state belong? For example, if we are evaluating the progress of a nation-state that belongs to the first category, i.e. of historical nation-states, and even if there is a country with a long history which has become a nation-state, in the modern sense, as late as somewhere in the 20<sup>th</sup> century (e.g. China in 1949) then we will have to apply very strict criteria because countries with a long history have had plenty of time to evolve and to correct basic aspects that otherwise retard positive growth.

For a nation-state belonging to the second category i.e. of migratory nation-states, then too the evaluation has to be made on a fairly strict basis because such countries have been evolving over the past 200 to 300 years. The only exception we could make is in the case of South Africa where the white race-based apartheid system ended only in 1990 and the majority rule by blacks or a political system on a non-racial basis was implemented only onwards of 1990 i.e. about 30 to 40 years after countries like Pakistan and India became independent.

For a country that belongs to the third category i.e. of permutated states, then our evaluation may be somewhat less strict than in the previous two categories. Even though, at least in the case of Germany and Italy, they too have had over 100 years to develop as nation-states. In the case of a country belonging to the fourth category i.e. post-colonial nation-states, we should probably be ready to make a fairly generous allowance for the fact that in many such cases, the territorial frontiers of such nation-states were arbitrarily drawn and that it therefore takes sometime for such countries to adjust to their existing form and territory.

In the case of a country like Pakistan which belongs to the fifth category i.e. religion-based states, we have already seen in Lecture #1 that we are quite different from Israel, Iran and Nepal which all claim to be directly linked with religion in some way or the other, and the very origin and “age” of Pakistan as a concept for a nation-state is exceptionally young and recent.

We therefore need to be the most flexible and tolerant and generous in our evaluation of Pakistan. However, this does not mean that we by-pass truth or that we deliberately ignore errors and blunders, weaknesses and follies that we committed between our independence in 1947, and our advent into the 21<sup>st</sup> century.

Even after making the maximum possible allowance for our uniqueness and the extraordinary, unrivalled difficulties that we faced at the time of our independence, we need to apply a candid and comprehensive focus on our history. Therefore, in Lecture #2, we look at the principal themes and trends that became evident in the very crucial and initially formative phase of Pakistan. Some of the themes and trends that we saw in this first 11 years had already begun to make them evident in undivided India before 1947. For instance, some of these previously running themes have to do with some aspects of human nature, with a preference of colonial forces for authoritarian approaches to political problems, with the desire to impose “order” in order to manage confusion.

Some of the themes and trends came suddenly to the fore with, and after independence. Some were not anticipated and there was lack of preparedness for such phenomena. There were clearly two positive themes in this first 11-year period. The first was the existence of a will and a determination amongst all the people who had suddenly come together to form a new nation-state that they must simply survive at all cost. Like a baby that is thrown into the water and forced to instinctively learn how to swim in order to keep its head above water, in the case of Pakistan too it was like being thrown into a large body of turbulent water without

knowing how to swim. But instead of being able to use both arms and both legs to swim, the predicament of Pakistan was that it was like being asked to learn how to swim with only one arm and one leg, if we remember all the enormous difficulties that we faced at birth.

The second positive theme was our resilience, the capacity to resume “normalcy” and the ability to generate new levels of activity even after suffering a tremendous setback as occurred with the decline in the health of the Quaid-i-Azam and in his very early demise just 13 months after the securing of freedom. Another example is our ability to resume our struggle for survival after the inconclusive war with India over Kashmir which we had to fight in 1948. In contrast to the positive themes, there were also 4 negative themes and trends evident in the first 11 years.

Inheriting the colonial, authoritarian, “ruler type mentality” through the Government of India Act 1935, the first 11 years of Pakistan were marked by a concentration of undue power at the central level, an imbalance that became particularly noticeable because of the peculiar, two-wing structure of the new nation-state. This imbalance of power at the Centre led to frequent dismissals and changes of governments in the Provinces, as well as at the Centre.

A third negative theme was the unwillingness to extend respect and attention to the otherwise rich diversity of languages, ethnicities and cultures in Pakistan, the phenomenon that was mis-perceived as being the basis for possible disunity, division and weakness. The most profound example of this theme is the manner in which the people and the language of East Bengal / East Pakistan were not afforded their due recognition, - thus planting seeds of mistrust and resentment which were only belatedly sought to be redressed.

The fourth negative theme in the first 11 years was the tendency to take arbitrary decisions in a highly personalized manner which expressed an authoritarian tendency non-accountable for its actions and its consequences. This tendency was evident in the dismissal of provincial governments, particularly in Sindh in 1948 in the case of Chief Minister Ayub Khuhro who was deemed to be indulging in corrupt practices but who continued to have the support of the majority of the members of the Sindh Assembly. Should the principle of democratic legitimacy being derived from a proven democratic majority have been respected or, in the “larger national interest”, should the power to dismiss a majority government have been used? The manner in which this kind of action was taken four decades later in the 1990s suggests that the original dismissals in 1948 and thereafter did not set a good example. The debate can continue.

In Lecture #2, by coincidence, while the scope of the lecture covers the first 11 years of Pakistan, 11 major factors have also been identified which shaped the content and direction of our history.

Excerpts from books for this hand-out:

To help the students note the different nuances and perceptions that determined the direction of themes and trends at that time, this handout includes reproductions of the following documents which students are urged to read, and to reflect upon:

1. 54 pages from the chapters titled: “Economic & Financial Problems of the New State” (Chapter 16) and “Administrative & Political Problems of the New State” (Chapter 17) from the book titled: “The Emergence of Pakistan” by Chaudhry Muhamad Ali, Prime Minister of Pakistan from August 1955 to September 1956) published by the Research Society of Pakistan, University of Punjab, Lahore.

**LESSON 3****“PAKISTAN: THE FIRST 11 YEARS 1947-1958”PART-2****II: “Landmark events”**

In lecture no.1 we established the unique nature of the Pakistani nation-state.

In lecture no.2 we identified two positive themes and trends that marked the first 11 years of Pakistan’s history. We also noted 4 negative themes and trends in the same period. The reason for defining a framework of 11 years i.e. from 1947-1958 for lectures 2 & 3 is the fact that the civil, political process prevailed in this period. It was in October 1958 that this desirable and ideal process i.e. the civil, political process — which, in real life, in virtually every country of the world is far from ideal! — was disrupted by the abrogation of the Constitution and the introduction and imposition of martial law. October 1958 therefore marks a fundamental turning point in the history of Pakistan.

To view the pattern and direction of history in the first 11 years we also need to take note of the actual major events that shaped that phase of our history. In examining events, it needs to be remembered that events can be merely the culmination of tendencies and directions that have been moving towards a certain point of expression i.e. events, and to this extent, events by themselves may not always be important because they are too “small”, restricted, specific and transitory in nature. Events happen, and then new events happen thereafter! What is important is: the underlying forces that are shaping events on the surface.

Yet, at the same time, events do require appropriate attention and analysis because the actions of people, or the words that they utter, or journeys they undertake, agreements that they make, the deaths or resignations of leaders, their plans or their conspiracies, announcements of changes in policies or in appointments: all these, taken singly, or together are “events”, and do make a vital difference. For example, one single event e.g. the death of the Quaid-e-Azam meant the end of an era and the beginning of an entirely new era in Pakistan’s history without the presence of its pivotal leader.

Another example: the adoption of the Objectives Resolution by the Constituent Assembly in March 1949, may on the one hand, be seen as simply being a logical expression of the aspirations of Muslim nationalism that had been evolving in un-divided India for several decades. However, another view about the adoption of the Objectives Resolution in 1949 is that it diverted the progressive and the enlightened original concept of Pakistan as a forward-looking new Muslim nation-state into the imprecise, unclear, complex, controversial conceptual area of religious ideology. Sectarian and theological differences and the sheer absence of a role model Muslim nation anywhere in the world after the rule of the Holy Prophet of Islam (PBUH) in Madina served only to encourage multiple forces of obscurantism and orthodoxy, each promoting a narrow interpretation out-of-synch with the vital importance given by Islam to the acquisition and application of knowledge. The “diversion” finally found expression in the tenure of General Ziaul Haq between 1977 and 1988, when the Objectives Resolution was made a substantive part of the 1973 Constitution.

The importance of “events” also becomes evident when we take note of actions in the first 11 years such as the dismissal of the government of Prime Minister Khawaja Nazimuddin and the suspension/dissolution of the Constituent Assembly by Governor General Ghulam Muhammad in April 1953 because it also revives the significance of the in-advisability of the induction into their offices of both these personalities, as much as it underlines the gross misuse of power by the Governor General, tragically subsequently condoned by the superior judiciary. Such events created precedents for similar events in later parts of our history.

Students are urged to read the attached excerpts from the book: “The destruction of Pakistan’s democracy” by the American scholar Mr. Allen McGrath, published by Oxford University Press, Pakistan in 1996. By reference to other excerpts which are included in this handout, students will be able to hopefully obtain a reasonably accurate portrait of Pakistan in its first crucial decade. At the same time students are urged to use ideas, suggestions and references in the lecture itself and in the handouts as clues that will lead them to even more significant paths than the clues themselves, with the purpose of enabling them to see as large a picture of those years as possible, with as much accuracy and truthfulness as is possible.

Excerpts from books for this hand-out:

Students are advised to read the following sections from books as listed below:

- 1) Excerpt provided: for an understanding of the international dimension of Pakistan's first 11 years in general and for appreciating Pakistan-India relations in particular, see relevant section in Parts I & II of the book: "Pakistan's Foreign Policy, by S.M. Burke and Lawrence Ziring, published by Oxford University Press, Karachi, 1990. Excerpts attached from page 16 to 46, chapter 2: "The Kashmir dispute".
- 2) Pages 83 to Page 101 from the book: "The destruction of Pakistan's democracy" by the American scholar Mr. Allen McGrath published by Oxford University Press, Pakistan in 1996.

**LESSON 4****ROOTS OF CHAOS: TINY ACTS OR GIANT MIS-STEPS?**

(This text is reproduced from the book: “From chaos to catharsis: perspectives on democracy and development” by Javed Jabbar, published by Royal Book Company, Karachi, 1996). There is a temptation to formulate a theory of political chaos on lines similar to the scientific theory of chaos.

First: what is the theory of chaos?

The roots of this theory go to 1961.

Edward Lorenz was a meteorologist working at the Massachusetts Institute of Technology. Fascinated by the elusive ideal of accurate weather prediction, he had designed, one year earlier, a system to create “toy weather”.

By this process he fed hypothetical data into a Royal McBee computer that simulated different types of weather. He then studied the consequence of variations introduced into the data e.g. how would the altered speed of a cyclone affect the level of humidity in its aftermath? One day, after obtaining a print-out from the computer of a particular “toy weather”, he wanted to study a section in greater detail. He therefore re-fed into the computer the same set of numbers he had fed in earlier. He stepped out briefly and returned — to discover a whole new subject!

Instead of duplicating the earlier “toy weather” pattern, this second pattern had begun to diverge from the first one initially in a small way, but significantly thereafter. Soon, the two types of “toy weather” appeared to be dramatically different from each other, even though the numbers for the data were the same. When Lorenz checked each single decimal place of the numbers fed into the computer, he discovered that instead of typing out the complete set of six decimal places which, in this case, were 0.506127... He had actually stopped at 506, assuming that the last three decimal places i.e. 127 did not really matter because the difference of those last three decimal places i.e. 127 was, he assumed, inconsequential, being only one part in a thousand.

By re-feeding all the six decimal places, Lorenz obtained the original “toy weather” pattern, whereas when he repeated the omission of the last three decimal places, the divergence accelerated rapidly.

This was conclusive proof that a miniscule variation at one stage of a phenomenon could rapidly become a magnificent distraction at a later stage.

Lorenz and other scientists working in different fields went forward from here to discover the fact that in nature, chaos has its own specific structure that order can masquerade as randomness, that there is mathematics of systems that never repeat themselves that a seemingly irrelevant minor action in one part may precipitate a major cataclysm in another part. There are some who now give the study of chaos the same importance in science as relativity and quantum mechanics. Discoveries in this science continue to expand human knowledge of the postulates that emerge from the science of chaos, three may be relevant to note in the context of Pakistan.

- a) That tiny differences in in-put quickly lead to overwhelming differences in output.
- b) That small errors can prove to be catastrophic.
- c) That there is a sensitive dependence in phenomena on initial conditions.

The first two of these principles when applied to the genesis and early growth of our country are the most difficult to detect because our history is replete with so many large and monumental blunders that the small ones may not really matter.

The whole process of Independence was speeded up so dramatically in the months proceeding August 14, 1947 that no one, not even the Quaid-i-Azam, was able to write a detailed script... For all the participants to follow Leaders began to depart from an unwritten script from the very start. Yet even though there was no written script, there was a shared vision.

Pakistan was inspired by a 1300-year-old legacy of what it means to be Muslim, but when it came to its physical creation, the invention of Pakistan was almost impromptu. As has been well said by the Czech

novelist Milan Kundera: individuals make up the story of their lives as they go along, improvising each movement and each year...because there is no dress rehearsal before we are delivered into this planet to proceed with our path through life. Yet a nation-State being a giant extension of a single individual on the scale of millions requires a fairly precise framework when it is formed. Due to a variety of reasons we In the shadow of our large omissions, lapses and losses, there must also have been those one or two or three decimal places of our destiny that were overlooked or by-passed or suppressed and thus never got fed into the computation of the factors that shaped our history began with neither a Constitution nor early or immediate elections, neither a grassroots political party structure of the Muslim League nor longevity for our founding father who left us tragically early.

In the shadow of our large omissions, lapses and losses, there must also have been those one or two or three decimal places of our destiny that were overlooked or by-passed or suppressed and thus never got fed into the computation of the factors that shaped our history. What could these terrible trivia have been? A slight hesitation about an issue on which there can only be a certainty. A silent acquiescence at a high level in what appeared to be a relatively.....minor transgression of an ethical boundary that may then have seemed like a little hole in a huge dam — but which soon became a yawning gap through which has rushed a mountainous flood or moral slush and grime into which we sank? Such marginal departures from an unwritten script may well have become those innocuous looking “tiny differences in input” that led to the output — or outcome — of a Pakistan so vastly different from the original dream about it. The trouble with really small errors is that it is very difficult to spot them from a distance of 58 years. Because they are, to begin with, small, they invariably get trampled upon and the big ones come to the front of the queue.

Perhaps the crucial small errors made in those times are lost forever to history. There were so many factors and perspectives related to the circumstances in which Pakistan was born that each factor in turn.....spawned a cluster of potentially correct as well as potentially disastrous decisions: only a few seen and recorded for history, many remaining confined to the privacy of one-to-one conversations.....or to the perceptions of a single individual or deliberately suppressed from public knowledge by the conspiracy of a coterie.

This brings us sequentially and most aptly to the third principle: the sensitive dependence on initial conditions. And with this element there appears a supreme synthesis between the science.....of chaos and the birth of Pakistan. Possibly no other State saw the light of day in the manner we did because the light actually turned out to be darkness at noon.

In a sense we are children born by Caesarian section in the blazing heat of the midday sun, not in the cool darkness wishfully associated with midnight's children. The one factor that shaped the whole pattern of the initial conditions of the State of Pakistan was the arbitrary, unwise decision by the British to advance the deadline for Independence to August 1947. That singularly inept decision set in motion a whole process of increasing tension eventually snow-balling into widespread turbulence and upheaval. The passion for Pakistan incongruously came hand in hand with a lust for blood at the time of Partition. We did not fight an ennobling War of Independence in 1947: thousands indulged in.....degrading mass homicide in the name of freedom. Instead of beginning our new lives with stars of honour, many of us began with the indelible stains of suffering.

The trauma was not a transient, momentary experience: it seems to have quickly become an enduring state of mind. Each of the initial factors, taken separately, represents enormous problems in themselves. Their coming together all at the same time had a cumulative and debilitating impact on.....the spiritual, intellectual and physical resources of a political leadership that, except for the Quaid-i-Azam, was largely feudal and therefore in a sense too fragile to bear the brunt of.....such a big challenge. Indeed, it is a miracle that we did survive the trauma of our birth and the tragedy of our first few years. As we pay tribute to the Quaid and his immediate lieutenants for their heroic contribution to our Independence, we must at the same time question the conduct of certain senior leaders who, in real terms.....almost immediately after August 14, 1947 began to betray the trust reposed in them by the Quaid-i-Azam and by the people. By their preference for personal power, by their disregard for democratic norms.....by their refusal to immediately institute an electoral and accountable system, by their provincial, parochial and factional attitudes they injected into those initial days of Pakistan a virus of discord that came.....to infect our bloodstream with an illness from which

we have yet to recover. As we proceed to explore the prospects for a political theory of chaos it is quite apparent that.....we have yet to conduct a really incisive and truthful investigation of our own history. We tend to gloss over some uncomfortable, undeniable truths and we have created some sacred cows that stand in the middle of the road to rationality and block our path to improve self-perception.

At this stage three postulates for a political theory of chaos emerge:

- i) Even a seemingly small act by a political leader, particularly in power, done beyond the ethical boundary that demarcates pure propriety, becomes the seed of widespread moral disequilibrium across the country.
- ii) Chaos is a vicious circle that can only be broken by political action whose integrity is so solid that it cuts through to the core of the chaos like a diamond.
- iii) Injustice inflicted upon a single poor and powerless individual early in a nation's history by one who is permitted to remain unpunished soon swells to become an obese State-wide system of oppression that can enslave a whole nation.

While it is tempting to speculate that a nation's destiny may well be determined by the timing and the conditions of its birth and the situation shortly thereafter, thus making our prognosis bleak, we also take.....comfort from examples where independent nations gone adrift and asunder have been transformed by the will of individuals who suddenly appear on the horizon. We know that we cannot re-do the manner of our birth and the reality of our early upbringing. But perhaps we can transcend them. To do so, some fundamental re-assessments are essential — of concepts as well as constitutions.

### **Conclusion:**

We must put our predilection for chaos to good use and experience it as catharsis, we must re-discover our distorted past to build a coherent new persona for Pakistan.

Excerpts from books for this hand-out:

Excerpt provided from: "Chaos – making a new science" by James Gleick, published by Penguin Books, 1987.

**LESSON 5****“FROM NEW HOPES TO SHATTERED DREAMS: 1958-1971”**

The period of about 13 years from October 1958 to December 1971 is a curious combination of extremes. It began with the unfortunate but generally widely welcomed imposition of martial law to end the political instability of 1957-58, quickly becoming the era of Presidential rule by Field Marshal Ayub Khan. It ended with the disintegration of the original structure of Pakistan. To add yet another unique feature to the nature of the Pakistani nation-state (which has been covered in lecture no.1), the disintegration of the original Pakistan meant that the majority of the population of Pakistan which was composed of Bengali-speaking citizens residing in East Pakistan chose to break away and create a new State by the name of “Bangladesh”, thus leaving the less than 50% of the population to continue using the name and the original concept of Pakistan!

As we shall see in lecture nos.6 and 7, it is to the credit of the minority left behind in West Pakistan that the concept of “Pakistaniat” was evolved and asserted with such determination onwards of 1971 that the idea of Pakistan and the permanence of the idea of Pakistan became an established and acknowledged fact despite the nation-state having reached the extreme of 16 December 1971 when the majority of Pakistanis broke away from the name of Pakistan.

Be that as it may, the focus of lecture no.5 is the 13 years between 1958 and 1971. Notwithstanding the undesirability of martial law and the abrogation of the 1956 Constitution, in some significant respects, the first part of the tenure of President Ayub Khan was marked by some positive social reforms and fairly rapid economic development. Alongside these gains, actions were also taken to streamline administration and governance and to reduce and punish corruption.

However, measures taken to curb freedom of the Press and methods used to suppress dissent aggravated the relations between the regime and civil society, especially in East Pakistan. Despite the fact that a military personality like Lt. General Azam Khan was held in high regard by large numbers of people in East Pakistan for his ability to rapidly improve public services and inject urgency and efficiency in public administration in East Pakistan during his tenure as Governor, the manipulative aspect of the Basic Democrats system increased rather than decreased the distrust felt by people about a government led by a West Pakistani army leadership.

This gap of confidence between the people of East Pakistan and the central government dominated by West Pakistan was quite visible when the sister of Quaid-e-Azam Muhammad Ali Jinnah, Mohtarma Fatima Jinnah became the Opposition candidate for the Presidential election held in January 1965 because Mohtarma Fatima Jinnah received visibly enthusiastic support in many parts of the Eastern wing, often as a symbolic expression of the alienation that the Bengali-speaking part of Pakistan felt about the lack of a fair distribution of power and resources between East and West Pakistan.

About 7 years after President Field Marshal Ayub Khan seized power, the direction in which Pakistan was headed became distinctly dangerous. Even though the limited armed conflict with India over the Rann of Kach ended with a decision to go for a peaceful settlement through arbitration by an international tribunal, the decision to send armed persons into Indian-occupied Kashmir in July-August 1965 proved to be a disastrous decision because its possible consequences both internally and externally had not been properly considered. For example, the assumption made by Ayub Khan and the relevant ministers and advisors such as Mr. Z.A. Bhutto and senior generals to the effect that India would never retaliate for the infiltration of armed persons into Indian-occupied Kashmir by attacking Pakistan on the international frontier between the two countries proved to be totally incorrect. Because India did launch its attack along the West Pakistan border on 6 September 1965 almost catching Pakistan unprepared.

Another assumption by the top decision-makers to the effect that the defence of East Pakistan lay in defending West Pakistan also proved to be politically disastrous because when war broke out on 6 September 1965, the people and the leaders of East Pakistan were shocked to learn that, even though they wholeheartedly supported the brave resistance and the successes of the Pakistan armed forces against India, the number of troops posted in East Pakistan to defend against any possible attack by India was so small as to be absurd and meaningless.



Thirdly, the inability of Pakistan to gain any diplomatic or material benefit from the Tashkent Agreement mediated between Pakistan and India by the Soviet Union in January 1966 greatly reduced the popularity and support for President Ayub Khan in West Pakistan and gave an opportunity to a growing opposition to demand an end to his rule.

Fourthly, a war that featured memorable heroism by valiant Pakistanis did not, in the final analysis, result in strengthening international and national confidence in the stability and security of the Pakistani nation-state, particularly from the viewpoint of encouraging foreign investment and promoting economic growth.

Fifthly, the negative fall-out of the decision to send armed persons into Indian-occupied Kashmir gave an opportunity to India to foment conflict and violence in East Pakistan by adding the confusion caused by deliberate disinformation to the already existing sense of resentment and disappointment felt by East Pakistanis about West Pakistan.

The decision by President Ayub Khan's government to celebrate 10-years of his tenure through the observance of a laud and lavish campaign titled: "Decade of development" caused a backlash amongst the people in general because this came at a time when the prices of basic commodities like sugar had increased and there was wide-spread dissatisfaction with the failure of economic growth to ensure equity and fair distribution of income and benefits to the people.

The situation became further complicated by the failure of the government to pursue credibly a conspiracy case against Sheikh Mujeeb-ur-Rehman, the Awami League leader from East Pakistan when the case known as the "Agartala Conspiracy Case" had to be eventually withdrawn.

There was also high public resentment against President Ayub Khan for permitting his son, the former Army Captain Gohar Ayub Khan to become a major industrialist through the acquisition of Ghandara Industries. When General Yahya Khan took over as President from an ailing President Ayub Khan, there was once again a sense of new hopes as had happened in October 1958. The new regime promised, and actually did manage to hold virtually completely free and fair elections for a National Assembly and Provincial Assemblies for the first time in Pakistan's history on the basis of adult franchise. However, soon after the polls in December 1970, there began a series of actions which quickly led to the tragedy of March 1971.

Instead of convening the first session of the National Assembly as scheduled, President Yahya Khan ordered General Tikka Khan to take strict and strong military action against all those Awami League leaders and followers who were agitating for the convening of the National Assembly and demanding the implementation of the Six-Points which were the basis of the Awami League's manifesto in the December 1970 elections. A government which had promised to transfer power peacefully and promptly to the winners of the 1970 elections not only failed to transfer power, it also took violent and destructive actions against the winning party's leadership and in so doing, dramatized and demonstrated the yawning gulf between the people of East Pakistan and a West Pakistan-dominated army.

The crucial period between March 1971 and December 1971 when several opportunities came to stop the army action in East Pakistan and to avert a catastrophe was wasted by further misjudgements and miscalculations. For example, President Yahya Khan wrongly assumed that President Nixon of the USA, being highly appreciative of Pakistan for enabling secret contacts between communist China and the USA would actually send its armed forces into the Bay of Bengal to help "save East Pakistan" from an Indian attack. Even though the American leadership did have greater sympathy for Pakistan than it did for India, no action was taken to help Pakistan on the ground where it mattered.

On the international perception level, India used disinformation and propaganda to wildly exaggerate the consequences of the actions taken by the Pakistan army in East Pakistan. India also created the perception that the Hindu citizens of East Pakistan, comprising about 8 to 10% of the population, had largely fled into Indian West Bengal to seek refuge from the brutal, anti-Hindu actions of the Pakistan army. The response by Pakistan in using mass media to convey the actual facts and its overall approach to conducting a credible information campaign was extremely weak and ineffective. In the court of world public opinion, West Pakistan was the villain and the guilty party.

Within West Pakistan itself, in an age in which there was only the single government-controlled Radio Pakistan and Pakistan Television, alongside a Press that was also very West-Pakistan oriented in its coverage, there prevailed a lack of awareness about how serious and dangerous the situation was becoming in East Pakistan after March 1971. The attitude was well-reflected in the comment made by Mr. Z. A. Bhutto (the leader of the PPP who had refused to attend the session of the National Assembly unless there was a prior agreement with the Awami League) on his return from Dhaka in March 1971 soon after the army action had begun. He said: “Thank God, Pakistan is saved”. Whereas in less than 10 months after this comment was made, Pakistan had broken into two and was far from “saved”.

The sheer distance of East Pakistan from West Pakistan, the suspension by India of overland flying rights for Pakistani aircraft resulting in the very long route having to be taken via Sri Lanka, the enormous difficulties of supplying troops in East Pakistan with equipment and support from West Pakistan, the encirclement of East Pakistan by India on 3 out of 4 sides, the numerical advantages of India over Pakistan in all respects, the loss of support by the people of East Pakistan as a result of the actions taken after March 1971: all these factors, and more, allowed India to fulfil its long-held desire to damage and undo Pakistan. In November 1971, India abandoned any pretence and openly sent its troops into East Pakistan, culminating in the surrender ceremony of 16 December 1971.

Thus, the dream and the vision of the founder of Pakistan and the tremendous expectations of the people of Pakistan that they would be able to sustain a unique, two-winged state structure were finally shattered. The prime responsibility lay within the country itself, with its leaders and with its people for allowing leadership to take disastrous and ill-considered decisions.

**LESSON 6****“RENEWING PAKISTAN: 1971-2005”****PART-I: 1971-1988**

In lectures number 6 and 7, we are examining a period of 34 years of Pakistan’s history between 1971 and 2005. In part I, we are examining the period of 17 years i.e. from 1971 to 1988. The period of about 34 years is marked by the same kind of extremities which were part of Pakistan’s previous 24 years i.e. from 1947 to 1971.

By “extremities” we mean that there have been periods of our history where there have been abundant hope and expectations of a new beginning which would be sustained for a long time to come. However, soon after experiencing such high hopes, the actual turn of events proved to be different from the original expectations. For example, with Independence in 1947, there was a general expectation that, despite the enormous difficulties faced by Pakistan at its birth, the people would produce good leadership that would overcome these problems and would create a lasting unity between East and West Pakistan. But within the first 11 years of our history, as we saw in lectures number 2 and 3, the kind of actions taken and major mistakes made, resulted in martial law being imposed in October 1958. In turn, with the commencing of a completely new order under martial law, new hopes arose that the mistakes of the first 11 years would not be repeated. Yet, in spite of some positive measures taken by the martial law government and the post-martial law government, both led by President Ayub Khan, the situation deteriorated rapidly, leading to the disintegration of the country in December 1971.

Similarly, when we view the period of 34 years from 1971 to 2005, there have been several stages at which fresh new hopes arose and then after some time, those hopes proved to be ill-founded. In lecture no.6, we are reviewing major features of approximately 17 years duration i.e. from 16 December 1971 to about 17 August 1988 when President Zia-ul-Haq died in an airplane crash in Bahawalpur. Broadly speaking, these 17 years can be divided into two phases i.e. about 7 years in the first part, in which a new government under a civilian, political, elected head, led the country. The second part of this period began on 5 July 1977 when the then Chief of Army Staff (General Zia-ul-Haq) removed the civil, political, elected government, imposed martial law and began the tenure in which he also became President and retained the office of both the President and Chief of Army Staff till his death on 17 August 1988. Once again in this period, there was witnessed the tendency towards extremes.

In the first part of this period i.e. 16 December 1971 to 5 July 1977, virtually all executive powers were concentrated in the hands of the civilian, political, elected Prime Minister. So extreme was this extreme that, as per the original version of the 1973 Constitution enforced from August 1973, the signature of the President of Pakistan could only be accepted as being the authentic signature if it was countersigned by, or accompanied by the signature of the Prime Minister of Pakistan! This kind of extremity which made the President of Pakistan (President Chaudhry Fazal Elahi) virtually powerless is best reflected in a joke that became widely quoted at that time. The joke went that a slogan had actually been painted on the walls of the Presidency of Pakistan (at that time located in Rawalpindi), to the effect that: “Sadar Fazal Elahi ko reha karo” (“release President Fazal Elahi from captivity”).

At the same time, it was also necessary to refer to the fact that power could also be an illusion because the exercise of power is often limited by a number of obstacles and realities which are not always taken into account by those outside the power circle. For a revealing perspective on this aspect of power during the tenure of Prime Minister Zulfiqar Ali Bhutto, students are advised to read the complete book, or at least parts of a book titled: “The mirage of power” by Dr. Mubashar Hassan, who served as Federal Minister in the Cabinet of Prime Minister Zulfiqar Ali Bhutto and who was also Secretary General of the Pakistan People’s Party. He was a first-hand witness of the limitations of power. Hence his choice of the concept of the word: “mirage” to convey the limitations of power itself.

Be that as it may, on paper, as well as in practice, it is nevertheless true that this period i.e. 1971-1977 did witness the use of power by a civilian government in a very arbitrary manner, followed by the even harsher, arbitrary use of power and force by General Ziaul Haq.

The textbooks in schools and colleges fail to do justice to the realities of history in general. This is why the second part of this handout reproduces an extremely profound and thought-provoking excerpt from a lecture

delivered by one of the foremost historians of Pakistan, namely Professor Sharif al Mujahid, formerly of the Quaid-e-Azam Academy, Karachi and the University of Karachi. In this lecture, the Professor pertinently calls for a fundamental re-appraisal by Pakistani historians of how they represent and interpret the country's history. Even though this lecture is primarily meant for highly qualified historians and specialists, it provides students with a fascinating glimpse of the basic issues that shape how young people in particular can be presented with imbalanced and inappropriate versions of history.

**LESSON 7****RENEWING PAKISTAN: PART II 1971-2005 (1988-2005)**

**Note:** While the verbal content and the power-point presentation of this lecture focus on the period 1988-2005, and deal with principal themes and events concerning the elected governments, it is also necessary for students to learn about the nature, functioning, problems and challenges of caretaker governments in the same period because 3 governments were specifically Caretaker Governments whose origins, duration and duties are quite different from the normal elected governments.

This is why 3 handouts have been prepared to help students to reflect upon both the nature of Caretaker Governments and the various aspects of accountability which have been a major feature of expectations regarding Caretaker Governments.

These 3 handouts are also relevant as background material for lecture # 6 i.e. Renewing Pakistan: Part I, 1971-2005 (1971-1988) and for lecture # 10 i.e. “The political system of Pakistan” These 3 handouts represent 3 essays written by the lecturer during his tenure as Minister of Petroleum & Natural Resources in the Caretaker Government of November 1996-February 1997. These essays were published in leading newspapers at that time and have also appeared as chapters in the book titled: “Storms and Rainbows” by Javed Jabbar published by Summit Media and Royal Book Company, BG-5, Rex Centre, Zebunnissa Street, Karachi 74400, Tel: 5684244, 5653418, e-mail: [royalbook@hotmail.com](mailto:royalbook@hotmail.com).

The titles of the 3 chapters being provided as handouts are:

1. Challenges faced by Caretaker Governments
2. Accountability: History and Truth
3. Accountability by a Caretaker Government

**Challenges faced by Caretaker Governments**

A caretaker government in Pakistan begins with enormous disadvantages compared to an elected government. There is immediately the issue of positive acceptance. Only in one out of the six caretaker cabinets established in our country between 1988 and 1996 has a caretaker government been installed in office with the consent of the principal political parties and the establishment. This was in the case of the Moeen Qureshi cabinet of August-October 1993. In every other instance, the induction into office of a caretaker government has occupied the place vacated by a government of the aggrieved political party or an ousted coalition.

Of all the institutional forces that are active in the public process of the country, and these include the political parties, the bureaucracy, the business community, the feudal and the agriculturist classes as also the Armed Forces, that remain an important element of the public process, the caretaker cabinet is the least prepared, by prior arrangement, or by sheer practice, to function as a team. Every other one of the above forces in public life has been operating as a specialized unit for years, if not decades past.

Even in Pakistan where major political parties do not maintain shadow cabinets whereby senior opposition leaders have the responsibility to specialize in the important ministries and sectors of government as a way of monitoring what the government does and of preparing to take office after the next election, political parties which form normal governments have the advantage of possessing a prior sense of team work and coordination amongst the senior leaders who eventually occupy ministerial office.

In contrast, a caretaker cabinet is assembled virtually overnight, within hours or days of the dissolution of the National Assembly and the dismissal of the previous government. Thus, suddenly, a set of 12 or 15 or 18 people have to begin functioning as a single team. Despite the fact that several team members, or all of them, may know each other previously, they have never before worked together as a policy-making unit. While all the members of a caretaker team may have an identity of views on the necessity for the dismissal of the previous government, it is inevitable that they will have individual variances on substantive issues. In the absence of a shared political ideology or manifesto, the caretaker cabinet has to very rapidly evolve its own unified political approach to complex issues or adopt broad principles enunciated by the President who has appointed the caretaker cabinet and by the Prime Minister who leads the team.

The current administration came into office at a time when the people had accumulated an extraordinarily intense level of frustration with the lack of punitive accountability during the prior part of our history. In-built checks and balances of our system, such as they are, had proved to be almost entirely ineffective in the face of a veritable assault upon the norms of equity and democracy between 1993 and 1996. This assault was made all the more devastating because it was being committed by an elected government. When even the superior judiciary, despite delivering a historic judgement in the Judges' case which vigorously asserted the principles of judicial independence, was unable to ensure prompt and effective enforcement of its judgements, the level of public despair had built up by October 1996 to a level perhaps unrivalled in our democratic history. Simultaneous to this total loss of faith in the political leadership there was a continuous decline in the quality of governance, in a deepening economic crisis, and in polarisation and drift.

If, for a moment, we assume that the President acted on November 5 without first drawing up a long-term strategy which would ensure a prevention of the very same sickness which we have just been relieved of, the President simply had no choice but to dissolve an Assembly that had become the simple captive of a coalition majority. This was comprised of numbers mainly held together by the force of charisma, with all its blinding and distorting consequences as well as the carrots of corruption offered to the occasional floor-crosser, or used more widely to keep the band in check.

The caretaker government is inducted into office almost always because the previous government has, in the judgment of the President, violated its mandate. To take note of the consequences of these violations and to identify cases as well as individuals responsible for these breaches of trust becomes an unpleasant but unavoidable obligation for a caretaker government. In doing so the caretaker government immediately comes face to face with the requirement that it remain neutral and impartial in order to be able to conduct free and fair elections. However, the two duties need not be contradictory to each other. While pinpointing specific deviations and malpractices, the interim government can make sure that there is an even-handed and equitable approach to preparing for the electoral process. In this respect the fact that it is the Election commission which has the supervisory authority to conduct the polls is a crucial determinant in ensuring impartiality.

Notwithstanding the daily barrage of accusations by the ousted political party, the present caretaker government has tried to ensure at every step that it remains truly impartial and neutral with regard to the preparation for, and the conduct of, elections. Two realities alone substantiate this contention. One: The balance and fairness with which government-controlled radio and TV are providing daily coverage to the activities of the ousted political party's leadership and the invitation to the same ousted party leaders and to independent critics to participate in live debates on electronic media. Two: the very large number of candidates from the ousted party who are freely participating in the electoral process. If the caretaker government was truly biased against the ousted party, then neither of the above two realities would be evident, as they are at present.

In an entity as complex and volatile as a nation, the task of looking after only "day-to-day" affairs is itself replete with long-term implications. Except for minor, procedural aspects of administration, most dimensions of government require decisions to be made that have short-term as well as medium-term and long-term consequences. The vital interests of 130 million people cannot be put into a state of suspension for 100 days because each of those days can represent, in real terms, a whole year either gained or lost, depending on whether an important decision is taken when it should be taken, or postponed because it has long-term implications.

Perhaps the most difficult challenge that a caretaker government faces is to transcend the limitations of time. From its very inception, a caretaker government and the entire population knows its exact tenure in office. Faced with the task of fulfilling high expectations about conducting effective accountability as well as formulating policies that elected governments tend to avoid because of either their unpleasantness or potential unpopularity a caretaker government has to mobilise active and meaningful support from a variety of groups and organisations, each of which is conscious of the brief nature of the caretaker tenure.

When recommending the promulgation of an Ordinance to meet an immediate legal requirement and give the "kiss of life" to a good new law, there is the perennial question mark that hovers over such legislation with a

threatening “kiss of death” after four months, if the new National Assembly fails to enact the Ordinance into a permanent law.

This being the objective reality, these are some of the disadvantages with which a caretaker government begins and conducts its work, and in spite of them, is judged for its performance as the government of a country.

### **Accountability: History and Truth**

The principal facet of accountability on a world-wide basis is that there is not a single instance in over 180 nation-states where accountability has been enforced through civil, legal and peaceful means in any thing less than years and months of preparation for trial in the courts. Except in situations where military rule prevails and short, summary trials are possible or where outright wars and violence mark conditions in which the “guilty” are instantly executed, there is not one example of any political leader anywhere in the world being brought to trial and given a sentence of conviction within a few months.

Whether it is well-established and credible systems of justice as in the industrialized democracies of Europe and North America or whether it is in the world’s largest democracy such as in India, the existence of a civilian political system makes it mandatory and unavoidable that the preparation of cases to hold politicians accountable is done in a careful and systematic manner, which requires years of previous time.

Seen against this harsh reality, the wide-spread disappointment expressed by the people, politicians and the Press in Pakistan at the alleged failure of the Caretaker Government to bring suspected crooks to book becomes an unrealistic and unreasonable expectation. Moreover, when the High Courts of our country are willing to give the benefit of relief to the accused and grant them bail either before arrest, or after arrest, then the preparation of effective cases against the accused becomes slower and more difficult than normally so. In one case, a High Court restrained the authorities from arresting a well-known individual who wanted to participate in the elections by passing the order that he should “not be arrested in any case.”

There are six theoretical requirements of accountability. First, it should be fair and even-handed in scope, not partisan or party-based. Second, accountability should be multi-level, from the top to the bottom. Third, it should be multi-sectoral: inclusive of politics, industry, agriculture, government service and all other sectors of activity. Fourth, accountability should be just and equitable; it must allow for the accused to be able to defend him and to have recourse to appeal, at least more than once. Fifth, accountability should bring punitive action that is substantial enough to serve as a deterrent and discourage the recurrence of malpractices. Sixth, accountability must include a review of sophisticated, complex white-collar crime, and in doing this not be confined to the obvious and simplistic offences. Incidentally, the evil benefits of this type of crime call for the formulation of a more appropriate term such as “white-collar and black-pocket crime” because it is in “black pockets” that the loot eventually ends up.

Accountability is a long word with a short, sharp and irreducible meaning. Being held to account for one’s actions during life itself rather than in the hereafter requires facing up to the most basic truth of all. The reality of one’s own self. In turn this has large and deep implications. If we begin to practice accountability ourselves instead of only preaching it, then the word has profound and disturbing consequences. Virtually every aspect of our individual life comes under its purview. From our private self to our family’s interests, from our role in the neighbourhood and the community in which we live to our conduct in the professional sector to which we belong and all the way through to the fulfilment of our responsibility as citizens, accountability can become a vast, all-encompassing framework within which we must judge our own actions.

Fortunately for all of us at the present time, the word “accountability” has a far more specific, relatively narrow and focused meaning. In 1996-97 in Pakistan, accountability has come to mean holding to account the top political leaders of our country and their cronies for their misuse of public offices during the past several years.

Though restricted in its scope, this particular interpretation of accountability has been growing steadily over the past 50 years of our history. It accelerated onwards of the 1960s, gathered full steam during the 1980s and has come to a boil at this time.

There was a demand to conduct accountability in pre-1971 Pakistan as well. But it was after we lost half of our country and saw the horror of the complete lack of accountability for our great tragedy that the nation became even more cynical about this process. Without assigning guilt to a particular individual, we cannot ignore the fact that all the principal characters involved in the situation leading to the break-up of Pakistan actually got “clean away” from the scene of the crime.

The worse that General Yahya Khan suffered was to remain under house arrest till his demise. Mr. Zulfiqar Ali Bhutto became the President and Chief Martial Law Administrator and then Prime Minister. His assassination in 1979 had nothing to do with his role in the 1971 tragedy. Sheikh Mujibur Rahman went from captivity in Pakistan to become President of Bangladesh. His assassination in 1975 had to do with the post-1971 situation in his country rather than with his role in events leading up to 1971. Similarly, all other players suffered no ignominy for their role in the worst part of our history. The report of the Hamood-ur-Rahman Commission which investigated the disintegration of our country remains secret 25 years after it was compiled.

Our civil service was held to account for its own bureaucratic sins both by General Yahya Khan and Zulfiqar Ali Bhutto but the sweeping and some times subjective nature of the outright dismissals tainted the processes. Distortions in our relationship with accountability have an even more historic dimension. During the lifetime of the Quaid-i-Azam himself, within weeks and months of the creation of Pakistan, reports began to emerge about corruption at high levels in government. One of the major figures who despaired at this early neglect of accountability was Khan Abdul Ghaffar Khan. There came the assassination of our first Prime Minister Quaid-i-Millat Liaquat Ali Khan. A man who was so financially incorruptible as to leave only a paltry sum in his bank account deserved to have his killers held to account for their heinous crime.

Over the past forty-years, speculative interpretations name prominent individuals as suspects in the Liaquat assassination. The official inquiry was not received as a credible analysis. In addition to the original stain of financial corruption on the white and spotlessly clean garment of accountability were now added the red stains of blood; people could actually get away with murder. When the black gowns of the superior judiciary joined the blood-stained garb of accountability, a decisive turning appoint was passed. The legitimisation of the dissolution of the Constituent Assembly by Governor-General Ghulam Muhammad and his dismissal of Prime Minister Khawaja Nazimuddin re-established a new ground norm that went beyond the justified and unavoidable dismissal of Dr. Khan Sahib’s NWFP government in August 1948, when the provincial regime declined to accept even the symbolic elements of the new state of Pakistan. The disruption of the constitutional process, slow and weak as it was in 1953, marked collaboration between the forces of the establishment and the superior judiciary. It then took over four decades to begin to correct this warp when the activism and independence of the Supreme Court in 1996-97 became a potent factor.

With the imposition of martial law for the first time in 1958, accountability became subject to dictatorial whim and to one individual’s personal ambition. The re-impositions of martial law in 1969 and in 1977 aggravated the distortions that are inevitable when an arbitrary and authoritarian system determines, by sheer individual discretion alone, the parameters of accountability. The judicial verdict that sent Zulfiqar Ali Bhutto to the gallows in April 1979 represented a callous collaboration between the personal elements of martial law used only for selfish purposes and the dignity and credibility of the superior judiciary that was usurped for the sake of expediency.

In this historic setting, from the very out-set, the absence of a constitution subverted accountability, both as a principle and as a process. The civilian political sector also became part of the systematic evasion of accountability.

The 1956 Constitution was not permitted to live long enough to create a viable methodology. The 1962 Constitution did not adequately recognise the weightage that was owed to East Pakistan. Though the Legal Framework Order of General Yahya Khan was well-intentioned it was ultimately, badly executed. Thus, the 1973 Constitution, though misleading as an ideal parliamentary format, simply came too late to do much good. This is why its principal sponsor very quickly undermined its spirit by moving seven amendments to it, these changes being hostile to the independence of the judiciary. Between 1985 and 1996, though there have been attempts to enforce accountability by the political sector *a la* Mr. Muhammad Khan Junejo’s dismissal of



three Ministers on alleged or real grounds of corrupt practices, these attempts have been limited and largely inconclusive.

Perhaps there has never been a greater distance between the political sector and the truth of accountability than the gap that prevailed between these two parameters from 1993 to 1996. These three years witnessed an unprecedented deviation in the use of executive power by the holders of public office from the norms of equity and transparency.

### **Accountability by a Caretaker Government**

Worldwide, the experience of accountability is a mixed one. Despite the existence of institutional checks and balances in the industrialised democracies, individuals are able to circumvent these restraints. Initially, President Richard Nixon and Vice-President Agnew and their colleagues in the US Presidency were able to indulge in patently illegal actions for a considerable period of time before two investigative journalists forced the institutional system to, in turn, enforce accountability upon them.

Yet, 20 years later, we have the spectacle of President Clinton being re-elected to a second term even while the investigation into the Whitewater case continued in the third year. There is also the case of Speaker Newt Gingrich being re-elected to head the House of Representatives in January 1997 despite a self-acknowledged breach of ethics and despite having been strongly censured by the House Ethics Committee.

There are a number of other individuals associated with corrupt practices in their local constituencies or in national scams, such as the housing and loans association project in the USA who have successfully evaded accountability. In India, the Bofors Guns Scandal involving Rajiv Gandhi which erupted in 1986 continues to be investigated 11 years later. Earlier, Sanjay Gandhi was also associated with the Maruti car project in which there were accusations of the government unduly favouring him. With a number of charges against him, the former Indian Prime Minister P.V. Narasimha Rao was re-elected to parliament and then continued to go in and out of court in connection with cases filed against him.

In South Korea, two former heads of state were prosecuted for corruption and for ordering firing on civilians. They were then sentenced to stiff punishment, but only after years of investigative preparation of their cases. In Japan, a number of Prime Ministers had to resign their offices due to charges of financial malpractice. There, too, it took some years before a couple of convictions could be obtained. Italy presents the finest example in contemporary times of comprehensive accountability enforced in the political sector. The integrity and determination of a single magistrate and the willingness of one small-time politician to confess to his misdeeds became a giant snowball that flattened dozens of leading politicians, including former Prime Ministers.

Our own historic experience of accountability and the international context of this process were in vivid contrast to the extraordinarily high expectation of the people of Pakistan when President Farooq Leghari dissolved the National Assembly on November 5 last year. The Caretaker Government's own early enthusiastic references to the need for accountability acted like sparks to a dense, dry forest that was swiftly inflamed, whipped up by a remarkable level of sheer hype in the Press, which conveniently omitted to study the worldwide experience of accountability. While references were made to the limitations of the investigative system available to the caretaker government to identify the intricacies by which contemporary corruption is committed in high places, the overall approach to this issue remained, and remains, quite unreasonable.

The additional restriction was that the Caretaker Government had to remain fair and impartial in assisting the Election Commission in the conduct of elections on February 3. The prosecution of individuals belonging to particular political parties was instantly seen as victimisation and an erosion of the neutrality of the Caretaker Government.

The Caretaker Government took nine sets of actions that directly facilitate accountability. Perhaps the most important is the promulgation of the Ehtesaab (Accountability) Ordinance. This represents an entirely new framework for the subject. For the first time, an individual citizen has been given the legal right to bring an

offence and the individual suspected for the offence to the attention of an authority responsible for accountability.

Previously, it was only the government or the judiciary that had such a right. In conceptual terms, this is a revolutionary change. At the same time, the process has been made independent of the Executive the moment it is referred to the Chief Ehtesaab Commissioner. Thus, there is a new enhanced judicial power as a determinant of accountability.

The second set of actions by the federal and provincial governments was to initiate investigations into misuse of power and malpractice by both political leaders and officers in recent years. Inevitably, the initial concentration of this work was on the immediately preceding government whose tenure of office was from 1993 to 1996.

This period alone offered the scope of a massive scale for inquiry: hundreds of deviations from laws and rules were identified. In the Ministry of Petroleum and Natural Resources alone, 50 cases referred to the Ministry of Interior for further investigation and consideration for onward reference to the Chief Ehtesaab Commissioner. The Auditor General of Pakistan was invited to conduct special audits of certain departments. Based on the findings of these special audits and other investigations, a total of 239 cases (at the rate of over two cases per day in our tenure!) have been referred to the commissioner by the Caretaker Government.

Thirdly, transfer of officers and staff was undertaken on a comprehensive basis to ensure effective investigation. Contrary to the view often put out by critics of the caretaker government that, conduct of elections being its primary task, no a single officer should be transferred, we now have a situation where the Supreme Court of Pakistan has upheld corruption as a justifiable ground for the dissolution of the National Assembly and the dismissal of the government.

Unless officers and staff associated with malpractices are removed, there can be no meaningful investigation of corruption. As it is, even after their transfers, the going is slow because there are still remnants of the appointees from the previous government who either have covert loyalties to the ousted lot or who are themselves so corrupt that they will not easily facilitate investigation by a new set-up.

There was an additional problem of not being able to take instant punitive action against the officers being transferred out of departments because of the protection that they enjoy under the law and under their service rules. At the worst, they can be appointed 'Officers on Special Duty' where they continue to enjoy the same pay and benefits. After moving dozens, if not hundreds of officers, finding new and more reliable and competent officers to help conduct accountability was in itself a significant task undertaken by the caretaker government.

Fourth: For the first time, as many as 30 senior officers as well as a handful of politicians were arrested on suspicion of their involvement in corrupt practices.

Fifth: A large number of dubious allotments of public land and special favours to selected private parties were either cancelled outright or given due legal notice of suspension to firm up accountability.

Sixth: A number of amendments were introduced over a period of time to election-related laws. The main objective was to make it mandatory for all individuals seeking elective offices to reveal the wealth and income that they personally possess as well as the wealth in the name of their spouses and immediate family members.

Information about the amounts that aspirants owe to utility organizations and to government guest houses, hostels etc. was made public, breaking from convention, long lists of companies and individuals who have defaulted on their back loans were also published in the press. An amount of over Rs 3.67 billion, a sum badly needed by the national exchequer, was obtained through such measures.

Seventh: On the electronic media, unprecedented live telecasts were arranged of face-to-face encounters and debates between representatives of political parties and individuals with completely conflicting viewpoints on

major issues. The subject of accountability was a recurring topic in these live telecasts. This enabled a new level of mass participation in the frank dialogue and discussion on how accountability should be conducted in Pakistan. Without censorship or interruption, participants in these live debates on TV and radio freely made extremely critical comments on the caretaker government, reflecting the tolerance and commitment to freedom of the interim government, an essential pre-requisite for the fair conduct of accountability.

Eighth: The comprehensive reforms made by the cabinet in the use of Executive power through the abolition of discretionary authority, whether for the allocation of plots of land or tanker loads of oil products, marked a significant step forward in enforcing accountable and responsible behaviour by public officials.

Ninth: the promulgation of the Freedom of Information Ordinance has given citizens a radical new power to gain access to a wide range of documentation and data which had previously been kept far away from public scrutiny. By this one act alone, the whole process of accountability has taken a giant leap forward and made it possible for the mysteries of bureaucracy and policy-making to be laid open to review by citizens.

In conducting accountability in the 1990s, special attention has to be given to the intricacy of white-collar-black-pocket crime. This is a dense, multi-layered phenomenon which is neither simple nor straight forward like conventional crime. Unusual patience and persistence are required to un-cover the diversions that are deliberately planted to make detection slow and difficult.

This kind of crime is also commissioned at crucial stages by verbal, rather than written instructions. Through just a wink and a nod a nefarious deal worth millions of dollars can be sealed for the benefit of one or more persons, without leaving a trace. A single telephone call exchanged between two individuals can ensure that a transaction is shaped in a certain way and when the government of the day is itself in-charge of the telecommunications sector, it can also ensure that certain types of phone calls are not “tapped” or recorded to avoid leaving any evidence.

When it involves written records, white-collar-black-pocket crime is a linguistic and contextual enigma which has to be very carefully unravelled. For instance, if the individual drafting the language and the terms of a commercial tender document wants to slant the conditions in favour of a particular potential bidder, then the minute details of specifications can be subtly changed so that only one or two potential bidders out of a dozen are able to eventually pre-qualify and win the contract. To track this deviousness requires an expertise in specialised investigation that is in short supply.

In this type of crime there is a collaborative dimension whereby co-conspirators are not motivated to confess their crimes because there is so much more at stake than merely one individual’s liberty; there is a whole gang of crooks sharing the spoils. Three options mark the future of the process of accountability in Pakistan after the caretaker government hands over power to the elected government. One option is that the approach taken by the caretakers leads to an irreversible movement which may continue indefinitely into the future. Elements such as the Chief Ehtesaab Commissioner, citizens at large, the independent Press and electronic media will together bring to bear their combined pressure to keep this process alive and secure feasible results, whether it takes six months or six years to do so.

Another option is that a few weeks after the departure of the caretakers, the Ehtessab Ordinance is allowed to lapse and the whole process derails and comes to a grinding halt. The crooks are released, and the old merry-go-round resumes again.

Finally, there is the option that if the accountability process, set into motion by the caretakers, comes to nought, then a new, militant and probably violent mass upsurge takes place, when the accumulated anger and frustration of the people assumes an uncontrollable fury.

One hopes that this last option never becomes necessary and that with wisdom and courage our people pursue and continue to refine the process of accountability which has been introduced by the Caretaker Government of November 1996-February, 1997.

**LESSON 8****THE CONSTITUTION OF PAKISTAN, PARTS I & II**

This handout lists names of two relevant books, website addresses and a brief summary of the most recent Constitutional Amendments. For the full text of the Constitution of Pakistan, 1973 as amended up to the 17<sup>th</sup> Amendment in December, 2003, students are advised to use the website created by Advocate, Zain Sheikh who has authored the book titled: “The Constitution of the Islamic Republic of Pakistan, 1973” published by Pakistan Law House, GPO Box 90, Pakistan Chowk, Karachi 74200, Tel: 2212455, 2639558, e-mail: [pak\\_law\\_house@hotmail.com](mailto:pak_law_house@hotmail.com).

The website is: [www.pakistanconstitution-law.com](http://www.pakistanconstitution-law.com). Students are also advised to refer to the relevant sections of the book which is already listed in the reading list for the first 9 lectures and which is particularly relevant to this subject i.e. “Constitutional and Political History of Pakistan” by Hamid Khan, published by Ameena Saiyid, Oxford University Press, Plot No.38, Sector 15, Korangi Industrial Area, Karachi 74900, 2005. Website: [www.oup.com](http://www.oup.com).

Placed below is a summary of some of the more significant aspects of the amendments made through the Legal Framework Order, 2002 and the 17<sup>th</sup> Constitutional Amendment, 2003, as amended from relevant pages of the above book by Hamid Khan.

**Legal Framework Order, (LFO) 2002 and the 17<sup>th</sup> Constitutional Amendment**

The LFO in August 2002 amended/added 29 Articles of / to the Constitution. The 17<sup>th</sup> Amendment in December 2003 amended/added 20 Articles out of the above 29 Articles. The other 9 were dropped/deleted/amended.

- i) Political parties are required to hold intra-party elections to elect their office bearers and party leaders. It has also been provided that no political party should promote sectarian, ethnic, regional hatred or animosity.
- ii) General Pervez Musharraf would relinquish the office of Chief Executive on such day that might be determined in accordance with the Supreme Court judgment in Zafar Ali Shah’s case. However, he would hold office of the President of Pakistan for a term of five years from the day he assume such office (note: General Pervez Musharraf obtained a vote of confidence from Parliament and the Provincial assemblies on 1<sup>st</sup> January 2004).
- iii) The seats in the National Assembly were increased to 342 with 60 seats reserved for women and 10 seats reserved for non Muslims. The number of seats in the Provincial Assemblies were also raised. In Balochistan, the number of seats were raised to 65 (11 seats reserved for women and 3 for non-Muslims); in NWFP, seats were raised to 144 (22 seats reserved for women and three for non Muslims); in the Punjab, seats were raised to 371 (66 seats reserved for women and 8 seats for non Muslims); and in Sindh, seats were increased to 168 (29 seats reserved for women and 9 seats for non Muslims). The seats in the Senate were increased from 87 to 100 with 16 seats reserved for women i.e. 4 from each province.
- iv) Article 58 which deals with various conditions in which the National Assembly may be dissolved was given an additional sub-clause i.e. Article 58(3). As per this new sub-clause, when the President dissolves the National Assembly at his own discretion, he is now required to refer the dissolution to the Supreme Court which, in turn, is required to decide the validity of the dissolution within 30 days and the decision of the Supreme Court on this matter shall be final.
- v) New disqualifications were added to Article 63 which include: persons convicted and sentenced to imprisonment as absconders; defaulters in the payment of loans from banks or cooperative societies amounting to Rs.2 million or more; defaulters in the payment of government dues and utility bills etc.
- vi) Article 63A, added by the 14<sup>th</sup> Amendment, was drastically changed and the anti-defection clause would only be applicable to a member of a political party who votes against the direction of his parliamentary party in relation to election of the Prime Minister or the Chief Minister; or in a vote of confidence or no-confidence; or a money bill.
- vii) In case of difference of opinion between the two Houses of Parliament on a Bill, it would be referred to a mediation committee consisting of 16 members, 8 members from each House of Parliament.

- viii) Whenever the Money Bill would originate (be passed) in the National Assembly, its copy would be transmitted to the Senate which may make its own recommendations on the Bill to the National Assembly within seven days. However, the National Assembly can pass the Money Bill with or without incorporating the recommendations of the Senate.
- ix) Where a Bill is passed by both the Houses of Parliament for assent, the President may return the Bill to Parliament for reconsideration. However, the Bill can only be passed with or without amendments by Parliament after going through the process of consideration of the matter by the Mediation Committee of Parliament.
- x) A Governor of a Province will be appointed by the President after consultation with the Prime Minister.
- xi) Article 112 (2)(b), deleted by the 13<sup>th</sup> Constitutional Amendment, was revived, thus, conferring discretionary powers on a Governor to dissolve a Provincial Assembly at his discretion, subject to the previous approval of the President.
- xii) Article 140A has been added so as to confer Constitutional status to the local government system.
- xiii) Article 209 has been modified conferring power in the Supreme Judicial Council to enquire into the matter of misconduct of judges on its own motion.
- xiv) The Election Commission of Pakistan has been enlarged by including four judges of the High Courts, one from each Province.
- xv) Article 270AA has been added validating all the laws made during the period of suspension of the Constitution and actions taken there under.
- xvi) Article 270B has been added declaring that the elections held in October 2002 would be deemed to have been held under the Constitution.
- xvii) Article 270C has been added declaring that all the judges who had taken oath under the Oath of Office of Judges Order 2000 would be deemed to have been appointed under the Constitution. Similarly those who had not taken oath under the said Order would be deemed to have ceased to continue as judges.
- xviii) Schedule VI was amended and a number of laws were added to the list of laws that could not be altered, repealed or amended without previous sanction of the President. These laws include State Bank of Pakistan Act, National Accountability Bureau Ordinance, Election Commission Order 2002; Conduct of General Elections Order 2002; Political Parties Order 2002, the Police Order 2002 and all the four Local Government Ordinances for the four provinces, passed in 2001.

**LESSON 9****THE CONSTITUTION OF PAKISTAN, PARTS I & II**

Note: In this handout for students, the text of two short essays originally written in 1999 and published in book form along with other essays in 2001 are being provided in order to define the contemporary and contextual framework which immediately preceded the change of government in October 1999.

This handout contains proposals made in 1999 for specific amendments to the Constitution some of which were actually given effect through the LFO 2002 and the 17<sup>th</sup> Amendment 2003 but many of which still remain only in the form of proposals. By reviewing these suggestions, students will hopefully be able to formulate their own opinions on the advisability of the proposals e.g. the proposal to make voting a compulsory duty for all adults i.e. all citizens above 18 years of age.

The text below has been published in the book titled: “Storms and Rainbows” by Javed Jabbar published by Summit Media and Royal Book Company, BG-5, Rex Centre, Zebunnissa Street, Karachi 74400, Tel: 5684244, 5653418, e-mail: [royalbook@hotmail.com](mailto:royalbook@hotmail.com).

**Changing the Constitution**

The 1973 Constitution in certain respects is an admirable document. It accurately reflects our basic aspirations to be a federal, parliamentary democracy in which the overwhelming majority of the people are Muslim. Part II, the section on fundamental rights and principles of policy, expresses universal norms and rights. Yet, even in its original form, the Constitution enabled Prime Ministerial dictatorship. It deprived the Presidency of even symbolic dignity. On the other extreme, after arbitrary amendments, the Constitution gave the Presidency a sword of Damocles to hang over elected assemblies. Both extremities also weakened the judiciary.

Seen over the years in which the Constitution has endured, its flaws have become more apparent with each amendment made to it. In an age that demands optimal decentralization, devolution and deconcentration of power, the Constitution has been used to achieve the exact opposite. Central executive authority in 1999 has become unbridled and rapacious. A Rs. 400 billion scheme (the new housing programme) can be launched without being processed through the National Economic Council, the constitutionally mandated body under Article 156.

The physical and verbal attack on the Supreme Court committed by the ruling party in November 1997 was a perversely appropriate expression of the way in which the executive has subverted the independence and sanctity of the judiciary in both civilian and martial law regimes.

The Constitution has become the slave of an elected group which, with only 16 per cent of the vote, becomes a two-third majority in the National Assembly. The country lies helpless in the clutches of an elected coterie and its un-elected cabal.

With the publication of its founding manifesto in September 1998, the Millat Party proposed 21 significant Constitutional reforms. The central aim of these proposed reforms is to decentralise power to the local community level and the provinces; strengthen federalism; introduce proportional representation; ensure substantially increased participation by women, low-income groups, professional specialists, and minorities in the legislatures; restore the joint electorate while guaranteeing minimal representation for the minorities; guarantee the autonomy of electronic media, the election commission and the accountability commission; secure the independence of the judiciary and give the Senate financial powers.

In this essay, this writer in a personal capacity puts forward suggestions for additional amendments in order to facilitate public debate. In an era of rapid and complex change we are being governed by a Constitution that has become outmoded and mutilated. It does not reflect the critically important needs that have emerged in the past two decades.

To recommend a number of Constitutional amendments and changes in laws and rules is like creating a wish-list. The question arises: how and when can they be implemented—and by who? As history shows, time and circumstance sometimes stimulate swift and entirely unexpected changes. The purpose of specifying

amendments is to stress their relevance and urgency. The mechanisms and conditions by which the amendments can actually be made is a separate issue.

The numbering of Constitutional amendments is, in microcosm, an illustration of the contradictions to which the document has been subjected. Z.A. Bhutto's Government (December 20, 1971-July 4, 1977) enacted seven amendments in less than four years.

General Ziaul Haq's misleadingly named "eighth amendment" actually represents 69 amendments made in 1979, 1980, 1981 and largely in March, 1985. The ninth amendment bill (to make the Qur'aan and Shariah the supreme law) never went beyond the stage of a private member's bill in the Senate. The twelfth amendment (1991, to create special courts for three years) lapsed in 1994. The fifteenth amendment (the Shariah Bill) has not yet been taken up by the Senate. The sixteenth amendment extending the job quota system for a further four decades was enforced in August 1999.

Thus, depending on how the count is done, the Constitution has already been amended about 81 times in 26 years. As for how many times the Constitution is violated, no count can be kept because violations occur every day at different locations, most often by governments themselves. Herewith a set of proposals for further amendments to the Constitution and to related statutes.

**Non-partisan caretakers:** If we are to avoid deepening the present crisis, the provision for a non-partisan caretaker government becomes the most immediate priority. In a parliamentary system, the government of the majority party elected in the previous polls has the constitutional right to continue in office, right up to the holding of the next elections and transfer of power to the incoming government, as in the case of the United Kingdom and India. However, every country has its own peculiar dynamics. In the historical absence from our political field of the norms of restraint and balance, an incumbent government that is also a competitor in the polls is unacceptable.

The conduct of the Muslim League in the 1990 caretaker government and in the Punjab local bodies polls in May and December 1998, shows conclusively that there is absolutely no chance of holding free and fair elections under a Muslim League government.

For general purposes as well, in view of our record of partisanship, it is essential that a new Constitutional amendment be made to appoint a truly neutral caretaker government. The Bangladesh model is worthy of emulation. Formulated in 1991 to facilitate the transition from the ousted Government of President Ershad to a new parliamentary system, the Bangladesh model provides for a caretaker government to be headed by the previous chief justice of the Supreme Court and the appointment of entirely non-political individuals to cabinet office. The provision has already been successfully applied in two elections.

**Compulsory enrolment in voters' lists, compulsory attendance at polling stations and compulsory voting:** Through this provision alone does democracy become a genuinely representative process for all adult citizens of a country. This measure has been implemented with success in countries as diverse as Greece, Belgium, Singapore and Australia. Those who do not vote in Singapore, for example, pay a fine of about US\$ 50. Turnout is about 95 per cent plus.

This measure would increase three-fold the turn-out of voters in the 1997 elections which was as low as 37 per cent, and in which the Muslim League obtained only 16 per cent and acquired a misleadingly bogus "heavy mandate." To accommodate all voters, polling could be staggered over different days as happens in several countries. Compulsory voting is also an apt expression of good citizenship because it is the duty of every citizen to make a practical contribution to the country's political process and progress.

We have a Parliament without meaningful participation. The leadership treats the legislature as an occasional convenience to be visited only on occasions such as budget day or when a bill has a particular personal or party interest to it. There is a need to introduce a set of checks and balances that will also serve as indicators of parliamentary participation and performance.

Amendments to ensure accountability of the ruling party should include: **A weekly “Prime Minister’s Question Hour”** to guarantee that the chief executive of the government will be personally present in both houses of Parliament at least once every week for at least 60 minutes to directly answer questions put to him alone by the leader of the opposition. As in several Central American and Latin American countries, there should be **prior approval by Parliament of planned overseas visits by the Prime Minister** in order to drastically curtail the large number of ceremonial, non-productive overseas junkets. Majority parties held captive by leaderships are liable to rubber-stamp anything they are commanded to do. But just the increased exposure of plans and objectives of overseas visits will help discourage frivolous and wasteful travel.

In most sittings, of Parliament even a ruling party like the present one with a two-third majority has difficulty in **ensuring a quorum**. To avoid such ills, an amendment should be made to ensure that if an elected representative misses three consecutive sittings of a session other than for serious health reasons, he should be liable for a heavy fine and/or suspension of membership and/or termination of membership. Instead of termination of membership leading to a by-election in which the same ousted member may be re-elected, a strong disincentive can be introduced to the effect that, after a fine and termination of the sitting member’s membership, the candidate who secured the second highest votes in the constituency will automatically be given the seat, in place of the original winner who has not shown interest in regular attendance of the House.

**Live uninterrupted, uncensored telecast and broadcast** of all the proceedings of both Houses of Parliament and Provincial legislatures on separate and exclusive radio and TV channels. The people can monitor the level and quality of participation by their representatives. The volume of public knowledge and discourse on political and development issues will be expanded.

Publication and broadcast by the media on **a monthly/quarterly basis of the attendance and participation record of all members of Parliament** in a manner similar to the way in which the performance of players in different sports and in different aspects of each sport is tabulated and published on the sports pages of newspapers.

End the system of counting the weekend holidays of Saturday and Sunday occurring during a session of either House of Parliament as “working days” in order to increase the number of actual working days of the legislatures. Currently, a significant percentage of the total working days of Parliament is actually non-working holidays misleadingly counted as “working days”.

**A minimal educational level** be required for election to Parliament notwithstanding the fact that merely obtaining a degree is not a guarantee of knowledge or competence but because a degree at least becomes an additional requirement for election. This would promote the value of educational qualification in the political sphere.

**A six-monthly public notification of the income**, assets and liabilities of the members of legislatures along with similar details of all their family members so as to curb tendencies towards corruption.

**A directly elected Senate:** An equal number of directly elected senators from all four provinces would greatly strengthen the principle of federalism and redress the weakness of an indirectly elected forum representing the federal principle. The relative disadvantage to which the more populous Punjab would be subjected could, as at present, be rectified by the members of the National Assembly being elected on the basis of population.

**Simultaneous elections:** Elections to all legislatures, including the Senate, should be held simultaneously to end the anomaly by which the timing of elections to one-third of the Senate seats which become vacant every three years are held with general elections. Simultaneous polls are held in the United States for all federal legislatures.

**Performance audit:** Perhaps the most innovative amendment required to the existing Constitution is to create a mechanism that serves as a 12-monthly “performance audit” of the Federal government and the four Provincial governments. Traditionally, the passage of the annual budget is supposed to serve as a periodic test but the budget is a bull-dozer of numbers alone. A new and more precisely focused check and balance has become vitally necessary. Such an audit should be independent of the majority factor. The present



Government has used its heavy mandate as a blank cheque issued by the voters to impose unconstitutional and undemocratic injustices upon the nation. It has created a dangerous precedent that should never be repeated. If a government fails the proposed audit process twice, it should automatically be subject to removal from office.

One of the ways to conduct a performance audit of a government could be the adoption of an objectively formulated, mathematically calculated “**Government Performance Index**” (GPI) on the lines of the internationally acknowledged Human Development Index (HDI) and other similar indices.

An interesting new model was created recently by the Mahbub ul Haq Centre for Human Development in Islamabad with the name of: “**Humane Governance Index**.” (HGI) Details are available in the 1999 report of the centre on the subject of “The Crisis of Governance.”

Viewed through three dimensions of economic, political and civic governance, the HGI uses 17 indicators ranging from fiscal management to corruption of enforcement of law and order to freedom of expression to respect for rule of law. Of 58 countries analysed, Pakistan ranks near the bottom at 54. The website of the Mahbub ul Haq Human Development Centre in Islamabad is: [www.un.org.pk/hdc](http://www.un.org.pk/hdc), e-mail address: [kh@hdc.isb.sdnpk.org](mailto:kh@hdc.isb.sdnpk.org).

Parallel to a mechanism within the Constitution, an attempt should be made to establish **a civil society mechanism outside Parliament** to maintain a rigorous scrutiny of government and Parliament, a scrutiny that is also independent of the media. The close association of proprietors of certain media, including newspapers and private radio/TV with the ruling party, distorts the independence and credibility of the media and reduces the capacity of media to serve as a non-partisan watch-dog over Parliament and government.

**A new coalition of forces** is needed in Pakistan today, a coming together of sectors, segments and spheres across conventional divisions. We require a new alignment of cadres, classes and communities to recognize that the grave perils which face our country demand a matching response of will and vision, of a commitment to democracy that transcends the stunted Constitution with which we muddle on. Substantive and comprehensive amendments have become an inescapable imperative to ensure our survival and development as a progressive nation State.

**LESSON 10****THE POLITICAL SYSTEM OF PAKISTAN**

Note: As the verbal content of this lecture and the power-point presentation convey, students have been provided with a fairly comprehensive outlined of what constitutes the framework and the institutions and organizations of the political system of Pakistan.

The purpose of this handout is to enable students to appreciate the scope for substantive reforms of the political system with particular reference to the mode of election to the Upper House of the Federal Parliament and to the special importance of this legislature.

While the text of this handout has been published in a leading newspaper of Pakistan in 2003, the material has not yet appeared in a book.

**Senate Polls: Secrecy Breeds Distortion**

Ideally, the Senate of Pakistan should be a directly elected forum because it is only through such a mode of election that an Upper House can become the corner-stone of an equitable Federation. A directly elected legislature with additional reserved seats for women, minorities and technocrats in which all four provinces have equal representation, and which has financial authority can alone provide the balance and equilibrium in the distribution of power. The Federation of Pakistan has always been lop-sided because one province's population is more than that of all the other three combined.

Several attempts had to be made in the USA over many years in the early part of the 20<sup>th</sup> century before the American Senate was also converted from an indirectly chosen forum to a directly elected House. Until the ideal becomes possible, and while retaining an indirectly elected House, a basic, simple change in the procedure to elect Senators can make a transforming difference to the integrity of the electoral process and to the stature of the House as a whole.

As the new Parliament of Pakistan belatedly completes its initial, formative phase with the oath-taking of members and the election of the Chairman and the Deputy Chairman on 12 March 2003, notwithstanding the controversy over LFO, it is relevant to review the manner in which this particular Upper House has been constituted.

The fact that the Awami National Party has taken the extreme step of expelling three of its own members of the Provincial Assembly in NWFP for having “betrayed the Party” during the Senate elections is an example of the severe distortions that marked the pre-poll phase, such severe distortions being the precise reason why this writer also decided to retire from the election.

But the issue of severe distortions that adversely affected the elections goes far beyond an individual case. Virtually every political party, even including the member-parties of the ruling coalition at the Centre known as the Grand National Alliance has been affected by irregularities and malpractices. Neither the so-called “religious parties” which are, in theory, supposed to be paragons of virtue compared to the “non-religious parties” remained free of ethical pollution nor did those parties claiming to be the custodians of constitutionalism and democracy which accuse the ruling coalition of various sins remain untouched by aberrations in the pre-poll phase.

Allegations of kidnapping MPAs to secure their votes come side by side with charges of straightforward vote-buying as also the, unwillingness of some party MPAs to abide by their party leaders' directives about which candidates to support.

Such pre-poll distortions have compounded the intrinsic paradox which is partially the result of the first-past-the post system used to elect the National Assembly and the Provincial Assemblies. The party that polled the highest votes on 10 October 2002, i.e. about 25 per cent is represented in the Senate by only 11 members, i.e. about 11 per cent.

Perhaps the root cause of the problem in the Senate polls is the secret mode of voting for candidates. Whereas there is an essential requirement for privacy and secrecy when a voter marks a ballot in a direct

election in favour of a party or a candidate, the use of secret voting in the indirectly elected system by which Senators are chosen, creates the scope for both corruption and coercion.

There is a special irony of contrasts when it comes to the subjects on which votes are taken and the modes of voting. On issues concerning fundamental national interests, be they Constitution-making or Constitution-amending, be they matters of public policy with regard to legislation in any sphere or, for that matter, be it in the election by the National Assembly of the Leader of the House where voting is by audible, verifiable “ayes” or “nays” or the mode of “division”, with every member having to stand, and be seen by the world and be counted — or be seated, as the case may be, when it comes to abstentions! — in the case of electing members to the Upper House, the method used is furtive and unverifiable.

In 2003, the Senate elections have also demonstrated a new crudity of intervention and manipulation by officials claiming to act on behalf of State institutions, which, in any case, have no mandate to interfere in political party affairs. The 1985 Senate elections held under martial law on a non-Party basis and, therefore theoretically offering far greater scope for covert manipulation by non-political forces, remained free from the kind of blatant, up-front role played in 2003 by officers of an intelligence organization.

Yet the decline in norms of conduct is not confined to official agencies. One sad manifestation of the deterioration came on the very day that I was going to address a letter to the Returning Officer informing him of my decision of retirement from the election. On walking into my office from an early morning outside appointment, I found a lady waiting to see me. She claimed to have met me on an earlier occasion which I could not recall. She then proceeded to say that she had come on behalf of a woman MPA who had heard of my candidature for election to the Senate. When I acknowledged that I was still a candidate but was not aware of why her visit was taking place, she provided the not-so-subtle hint that her MPA friend may be favourably inclined to cast her vote for me if we could “discuss the matter further”.

After thanking her for her interest, I requested her to convey my advice to her MPA friend to the effect that the MPA should fully abide by whatever decision her party made with regard to her vote and to remember that the votes by which she was elected and the vote that she was about to cast are sacred trusts. Immediately after this uninvited sermon from me, when I informed the visitor of my decision to retire from the election that very day and offered her a cup of tea, the lady had no time to spare for my hospitality though she had previously waited patiently for me for well-over an hour!

The most disquieting aspect of the episode was that, whereas in 1985, as an independent candidate successfully seeking support from other independent MPAs elected on a non-Party basis (even though many MPAs were members of various factions of the Muslim League, and of the Jamaat-i-Islami, JUI, JUP, etc.) one had never been approached by an MPA, or a representative, soliciting payment in return for a vote. But then, time brings progress!

There is no bias intended in revealing the gender of both the person representing the MPA and the MPA herself. The gender is entirely incidental. Some male MPAs are as, if not more, willing to sell their votes. It is even more important to emphasize that the majority of MPAs preserved their values and practised discipline. This is specially relevant because there is a tendency to portray legislators as being fickle and unreliable. The weaknesses of some legislators have tainted the reputation of all those who are otherwise honourable persons, and have sullied the electoral process.

To off-set this unseemly attempt, there was also the generous and unsolicited offer by three MPAs from two parties other than my own to give me their first preference votes without any consideration whatsoever, disregarding their parties’ directives. For reasons that need not be detailed here, I was not willing or able to accept their very kind offer. The point of citing this instance is to show that even while some persons were succumbing to various temptations and pressures, there were also others willing to vote entirely by conviction, and without any compensation.

Another disturbing trend in these Senate elections was the whimsical and capricious role played by the leaderships of several political parties in the allocation of Party tickets and in the decisions to extend support to particular candidates. Instead of practicing the principles of internal party democracy and consultation to

respect the views of party workers and leaders, many tickets were allocated on the personal preferences of party heads or of a small faction of the party favoured by the party leader. In several instances in various parties, individuals who have served the political process with devotion for a long period and have worked tirelessly for their respective parties were by-passed in favour of persons known only to the party leader, or for persons who are able to make large donations to the party to secure the party ticket.

There is also a need to conduct drastic reform of the method by which political parties allocate party tickets to candidates. Decisions should be based on the views of the respective constituency units, be that at district or provincial level so that their binding force cannot so easily be over-ruled by a sole party leader or by a small faction. A party leader should always have a margin to exercise individual discretionary preference, but such a margin should be minimal, and not, as at present, maximalist.

The revelatory aspect of the final chapter in the formative phase of the new Parliament is that, despite the previous chapters having been decisively shaped by a Party-based system that minimizes the role of individual independent candidates, elections to the Senate in 2003 featured the weird spectacle of MPAs being directed by their party leaders and by the covert interventionists to cast their votes for certain independent candidates who had no previous linkage with their respective parties!

In such circumstances, it is possible to make only an informal and approximate estimate of the extent to which these distortions affected the outcome. This writer's assessment is that about one-fourth or one-fifth of the results were manoeuvred. To state this is not to demean the dignity of an elected forum: it is to underline that a 20 per cent scale of distortion is quite substantial and is unwelcome. Given reforms, it is also easily avoidable.

An open, transparent, non-secret basis for electing members of the Senate through the existing indirect method will, at one stroke, eliminate the scope for the non-accountable use of bribery, intimidation and manipulation. It will give unprecedented credibility to the composition of the Senate and a moral strength that is direly needed for the Parliament of Pakistan.

**LESSON 11****THE ELECTION COMMISSION OF PAKISTAN**

Note: The text of this handout represents observations formulated on the basis of the direct experience of the lecturer in having been a candidate for election to the National Assembly of Pakistan in the general elections held in October 2002.

While the observations and recommendations contained in this text have not appeared in book form as of 2005, they have been published in newspapers during 2002.

The content of the lecture focussed on the constitutional, political and operational dimensions of the Election Commission. This handout presents a perspective from a participant in the actual electoral process.

**A new role for the Election Commission**

As attention shifts to the convening of Parliament and the formation of new governments, the need to learn from the experience of the electoral process gained in October 2002 becomes the greater.

One curious source of credibility for the conduct and results of the recent elections emerges from the fact that virtually every political party and alliance which participated in the elections has described either the entire election as being rigged, or has complained against irregularities on a large-scale in particular constituencies. So, as a friend muses, if everyone says that the elections were rigged, then surely the elections were fair because they do not seem to have satisfied anyone fully! Not even the party labelled as the Government's favourite. After all, its very own president was defeated not just in one, but in two constituencies, as also the defeat of one of the same party's prime ministerial hopefuls in Shikarpur as well.

The issue of whether the Election Commission was wholly or partially responsible for rigging before, during and after the polls requires to be dealt with separately. For the present, it is sufficient to note that since no contesting party appears to be satisfied with the results, the Election Commission has surely acted — in some important respects — as an independent, though not necessarily always, a competent manner.

As this writer himself was a candidate from a Karachi constituency for a seat in the National Assembly and lost the election by a large margin, it may be tenable to allege the cause of my loss to fraud on a massive scale. But notwithstanding serious irregularities at several polling stations which certainly helped to substantially increase the tally in favour of the winner, I would like to record that at no point during the campaign or on polling day did one get the feeling that there was a secret conspiracy responsible for the way the votes went. Rather, the irregularities were due to the weaknesses of the election personnel, their vulnerability to local pressures, their lack of training, flaws in co-ordination and supervision and other such factors. Without these lapses, I would have still lost the election (for reasons stated separately), but probably by a smaller margin.

More important than specific individual complaints, if the electoral process is to be made authentically representative of voters' views, we need to cast the role of the Election Commission from an entirely new perspective. Instead of the present version of the Commission in which it operates like a part-time mechanism that becomes active only when a general election is announced, we need a full-time, full-fledged, fully-empowered institution.

As a statutory body sanctified by the Constitution, the Election Commission certainly has permanence and does work round the year. Yet by the nature of its actual operations, its command of resources and by the image that it projects, the Commission remains a shadow of what it should really be: an immutable pillar of the State, immune from influence on any account and completely immersed in the fulfilment of a sacred trust.

To bring about fundamental changes, four steps will need to be taken. First: the Chief Election Commissioner and the Members of the Commission should demonstrate the will and the strength to effectively use powers that the Constitution grants them. Article 220 of the Constitution states: "It shall be the duty of all executive authorities in the Federation and in the Provinces to assist the (Chief Election) Commissioner and the Election Commission in the discharge of his or their functions." Far too often, the Commission is seen to be seeking the co-operation of the official system rather than directing it to act according to its wishes. On far too few occasions does the Commission assert and fully use its powers. Since Article 215 clause-2 prevents the removal of the Chief Election Commissioner from office except through

the manner described in Article 209 (through the Supreme Judicial Council), the Head of the Election Commission should have no inhibition whatsoever from using power to hold free and fair elections in a forceful and credible manner. Even the Head of State and the Head of Government would be — and are — subject to the directives of the CEC.

The present Government, despite being an un-elected military regime has done more to strengthen the composition and independence of the Election Commission than perhaps any previous Government, including elected Governments.

During 1999-2000, when this writer was associated with the Federal Cabinet as Adviser on National Affairs to the Chief Executive of Pakistan, one had the opportunity of visiting the Election Commission with General Pervez Musharraf to view a presentation on the problems that needed attention. Three reforms were immediately ordered. The Commission was no longer required to obtain clearance from the Establishment Division to upgrade or low-grade a position. It was also enabled to transfer funds from one head to another head under its pre-approved budget without needing to obtain prior approval for such a change from the Ministry of Finance. Similarly, there were to be no limits on expenditure that can be incurred by the CEC where, in his judgement, there is a need to exceed previously sanctioned sums. The EC's autonomy was thus made practical and purposeful.

Then, during 2000-2001, for the first time, the Election Commission of Pakistan at the Federal level was authorized to conduct the local bodies elections in about 100 districts throughout the country to help establish a new system of devolved power at the grass-roots level. The discriminatory powers previously enjoyed by the Provincial Governments which controlled the Provincial Election Authorities were abolished.

The Election Commission Order 2002 expanded the membership of the Commission from two members to four members to give each Province of the Federation equal representation in this important body under the Chairmanship of the Chief Election Commissioner. Clause-6 of the Order titled: “Powers of Election Commission” amplified and elaborated Article-220 of the Constitution and Clauses 9B and 9C further reinforced the Commission’s powers.

The Election Commission should see its own role as a permanent “Government for Elections”, responsible for, and in command of, all resources and facilities that are relevant to its task throughout its tenure. When an election schedule is announced, it should also become a de facto Caretaker Government. The actual executive government should continue to hold charge of defence and national security, foreign affairs, economic and monetary management, and essential infrastructural sectors such as energy, telecommunication and mass-transportation. Other important functions of the State and the Government, particularly the Home Departments, the Police, law and order, services and general administration should be subject to the control of the Election Commission at the Centre and in the Provinces.

Second: a comprehensive review and rectification of the voters’ lists used in the 10<sup>th</sup> October polls has to be undertaken on an emergency basis. Perhaps never before in our history have voters’ lists been so full of errors, omissions and flaws as were apparent in the present elections. The confusion witnessed in constituencies throughout the country at polling centres is unprecedented. Families living together at the same address for decades found themselves divided or deleted, with the husband needing to go to one centre while the wife had to go to another. If a brother was listed, his sister’s name was missing. And so on, and anon, the examples are too numerous to be ignored or downplayed. After enforcing accountability for horrendous mistakes, (NADRA?!) the Election Commission should take direct charge of re-compiling new voters’ lists, well in advance of the next election. These interim revised voters lists can be further updated close to the holding of the next general elections. But the process of review has to be under-taken now.

Citizens and voters too share responsibility. The vast majority did not bother to respond to public notices published by the Election Commission in the Press and broadcast over the electronic media during the past several months urging voters to verify entries before finalization of the lists. Only a small number of citizens took the time and trouble to check their entries. Good citizenship alone can help ensure that the voters’ lists become accurate and remain updated.

Third: there is a need for a basic change in the manner by which officers and personnel are engaged by the Commission to serve as Returning Officers and Presiding Officers. The past and present practice is to appoint Additional and District Sessions Judges as Returning Officers while Presiding Officers and Polling Officers are also recruited for temporary duty from several public sector institutions ranging from bodies such as the Karachi Development Authority to the Employees' Old-Age Benefits Institution. While judges may show required independence, short intensive training imparted to other officers does not automatically bring with it the values and ethics of impartiality and independence. Only a long-term association between an individual Presiding Officer and an institution like an independent Commission can engender within the officer the moral courage and spiritual strength to act without fear or favour.

At the local level of the polling centre, where the sheer preponderance of a particular party's members or the numerically large presence of a particular clan or tribe can create a coercive and intimidating environment, a part-time person yanked out of a completely different profession and job such as education and school teaching cannot suddenly become an impartial election official, impervious to immediate influence or threats. We need to develop a full-time cadre perhaps called the: "Election Service of Pakistan" (ESP) comprising officers who will specialize in the entire electoral process and develop the self-confidence and capacity to withstand pressures of various kinds.

In addition to the conduct of local bodies' elections and general elections, such an "Election Service of Pakistan" could also make available its services to hundreds of civil society organizations in the country that hold their elections on a regular basis, such as clubs, professional associations, trade bodies and sports bodies. A modest fee could be charged by the Commission to serve as a source of income for such services to civil society and the private sector.

Fourth: the Election Commission should sponsor, with support from the corporate sector and if necessary, with Government aid or overseas donor aid, a year-round, continuous voter education campaign. Presently, such campaigns are only timed with compilation of voters' lists and holding of elections. There are several other facets of the electoral process that require to be communicated widely on a regular basis. These include the duties as well as rights of voters, the fundamental right of women to use their vote and the obligation of male voters to ensure that their women are facilitated to cast their vote, the voting procedure, campaign rules and norms, modes of election to reserved seats, duties of political parties to maintain accounts, membership lists and other subjects.

In the years ahead, with collective support from Parliament, the new Governments at the Centre and in the Provinces, from civil society and from independent media, the Election Commission can become an institution that embodies the highest standards of integrity and authority applied in the public interest.

**LESSON 12****“POLITICAL GROUPINGS AND ALLIANCES: ISSUES AND PERSPECTIVES”**

Text of handout for students

Note: students will obtain relevant background information on the subject of this lecture by noting the relevant sections from the recent and contemporary history of Pakistan as covered by previous lectures. They will also obtain useful information by referring to some of the books cited in the Reading List for the first 9 lectures as well as the brief reading list for lecture no.12.



**LESSON 13****THE LEGISLATIVE PROCESS AND INTEREST GROUPS**

Text of the handout for students

Note: This handout contains the text of a chapter of the same name written by the lecturer and published in “From Chaos to Catharsis” by Javed Jabbar published by Royal Book Company (1996), BG-5, Rex Centre, Zebunnissa Street, Karachi 74400, Tel: 5684244, 5653418, e-mail: [royalbook@hotmail.com](mailto:royalbook@hotmail.com).

The legislative process and interest groups

If the legislature itself is seen as the supreme national interest group representing the totality of a country’s perceptions about itself, then there may be the tendency to assume that all sectoral interest groups are more or less adequately represented within the legislature and that, therefore, any extra role that interest groups want to play in the legislative process is really a “vested interest” group role, self-serving rather than being nationally oriented.

This is an incorrect assumption. Because even though a fairly elected legislature is a fairly accurate cross-section of a country the method of election (i.e. first past-the-post as distinct from proportional representation), the socio-economic profile of successful candidates, the size of political parties and groups in the legislatures and other factors may prevent all principal segments of public opinion as well as of the public interest from being adequately represented in the Houses.

Interest groups therefore, have a valid and legitimate role to play in society and in the legislative process provided, of course, that they observe norms and parameters of conduct. This does not always happen but such aberration does not in itself invalidate the role of interest groups.

This general principle stated, it is necessary to determine the precise interest of an interest group before proceeding further. Where an interest group’s stated motivation and objectives are in harmony with a country’s security and progress, where the interest group aims to improve public policy whereby a larger national good is achieved while also satisfying the more limited good of the group, it is possible to accept the aims and objectives of interest groups.

At the same time, while having constructive national aims, an interest group, out of uncertainty of success or out of sheer temptation for short-cuts may use methods that are dubious, illegal or corruptive. This is the case of the means certainly not justifying the ends. And it is here that special vigilance is required to monitor the methods used by interest groups to advance their own aims.

Where interest groups use methods that are above board, then obviously they deserve study and observation. Interest groups can represent a wide variety of sectors; different categories of industry such as textiles (within which there can be sub-categories such as yarn, wool, ready-mades, linen, cloth, synthetics, etc.) chemicals, food, beverages; different facets of agriculture such as cotton growers, rice farmers, wheat farmers, sugarcane cultivators; different types of traders dealing in imports and exports, financial institutions including banks, co-operatives, white collar workers, blue-collar workers; academics; consumer groups; professional associations; voluntary organizations; social issues and national issues-oriented groups on family planning, education, welfare, health, environment, etc.

Some of these interest groups, perhaps a few, are always well-represented in the legislatures. For example, agriculturists in rural-oriented countries; industrialists, people with significant financial power, etc. In these cases, such interest groups are also well-represented in the highest levels of the executive leadership of the government and often of the State. This fortuitously reduces the work-load of interest groups because the legislative majority and the government do their job for them! For those interest groups that are either under-represented in the legislatures or not represented at all, there is a distinct and considerable work-load.

It is relevant to note that, due to a variety of factors such as an inherited, transplanted parliamentary or legislative system, the economic and social structures of a nation, the majority of peoples in South Asian nations are not represented in legislatures by individuals who share their socio-economic profile. In other words, a constituency of very poor peasants in the rural areas or an urban constituency of middle class or low-income workers may well be represented by individuals of very high income and of a very different socio-economic profile.

Thus, a major interest group, i.e. the poor, while going through the delusion that they are duly organized as an interest group through the political party or movement that they support may, in real terms, be deprived of representation inside legislatures as well as deprived of interest groups outside legislatures because a political party led by individuals who masquerade as champions of the poor pre-empt any potential attempt to set up a special interest group for the poor.

The moral of the story is therefore, that a country may have democracy, may have regular elections and yet may continue to deprive the majority of authentic participation in the legislatures, or even in interest groups.

There are also instances where political parties and movements set up ostensibly and specifically by the poor for the poor, end up as partners of the rich and distort the articulation of the interests of the poor.

Legislatures are virtually always at the mercy of the majorities. Governments tend to enjoy an unfair advantage over the opposition in setting the legislative agenda. When oppositions have the numerical strength to requisition sessions at their own initiative, they remain subject to the overt and covert influence of the government in determining the work of the legislatures.

Interest groups that seek legislative intervention have to strike a fine balance in their approach in order that they are able to provide the opposition with fresh ammunition to fire upon the government while at the same time ensuring that they do not antagonize the government by too close an alignment with the opposition. Interest groups should be very good at walking the thin line of hyper-sensitivity that marks the partisan aspect of legislatures.

Legislative majorities and other members of legislatures have a fair number of priorities competing for their attention, ahead of interest groups. Constituency considerations, petitions for jobs, transfers and favours, their own pre-occupations with government, party matters, attendance of House sittings, House committee meetings, social engagements et al.

Interest groups use a range of methods to capture the attention of legislators. Letters and documents in the mail, telephone calls, interviews for personal briefings, delegations to the premises of Parliament to button-hole members, meetings with Ministers, publication of appeals, protests, letters in the Press to invite the attention of leaders, holding of seminars, Press conferences, requests to be heard by Parliamentary committees to enable presentation of viewpoints.

There is a tendency in most interest groups to concentrate only on specific policy measures such as taxes, duties, etc. rather than on conceptual and fundamental issues that may require entirely new legislation or substantive amendments to existing legislation. There are honorable exceptions such as when interest groups take up critical causes like women's rights, children's rights.

In general, interest groups are "reactive" rather than anticipatory and pre-emptive, going into action as soon as their interests are threatened or affected by a legislative or executive decision. Legislatures enjoy certain inherent advantages over interest groups in terms of infrastructure, resources and the panoply of privileges.

Yet certain interest groups can also deploy vast resources to achieve their aims, particularly in a covert manner. Where lobbies have access to unreported income or where they are able to offer legislators facilities and electoral support, then members of legislatures become vulnerable to undue influence. When legislators and interest groups converge and collaborate there can be an inhibiting and inimical impact on democracy because those adversely affected by such a combination have no recourse, except to the courts.

Reporting of Parliament is a complex and challenging task for media correspondents. It demands knowledge, understanding and vigilance of the highest level. Reporting on the activities and aims of interest groups and monitoring their open as well as unseen interaction with the legislative sector requires an additional investment of time, talent and investigative resources. To enable correspondents to do justice to these considerable demands, media need to significantly increase the quality and quantum of the support that they provide to correspondents.

In principle, interest groups have a positive and corrective role to play in relation to the legislative process provided that the media are able to accurately and effectively report on this relationship and keep the people well-informed with in-depth analyses.

**LESSON 14****“THE POPULATION, EDUCATION AND ECONOMIC DIMENSIONS OF PAKISTAN”**

Note: This particular handout deals with the third of the three dimensions covered by this lecture i.e. the economic dimension.

Students are advised to study the verbal content of the lecture carefully as well as the PPTs before reviewing the text given below which is reproduced from the official publication of the Government of Pakistan titled: “Pakistan Economic Survey 2004-05”. This publication is normally released just before the presentation of the annual Budget of the Government of Pakistan which normally takes place in end-May or June of each year as the financial year of the Government’s Budget is 1<sup>st</sup> July of one year to 30<sup>th</sup> June of the next year.

While there is some acknowledgement of economic problems and issues in this text, the overall approach reflected in this text is “positive” and “official”. To this extent, the text below may not be sufficiently balanced with criticism. However, a study of this text is relevant and necessary for students to gain a proper understanding of the official viewpoint and of various practical realities that have shaped Pakistan’s own economic situation in 2004-05 as well as the global economic environment.

Students are advised to visit the following two websites:

[www.finance.gov.pk](http://www.finance.gov.pk)

[www.finance.org.pk](http://www.finance.org.pk)

**Excerpt from the Pakistan’s Economic Survey 2004-05 page-(i) to (iii).**

Pakistan is in the midst of an economic upturn. Since 2002-03, the economy has mounted a strong recovery with a sustained improvement in prospects. During the fiscal year 2004-05, many of its macroeconomic indicators show marked improvement over (the previous) year. The most important achievements of the year include: the fastest pace in real GDP growth, powered by stellar growth in large-scale manufacturing, a sharp pick-up in agriculture, a continuing robust performance in services, and an extra-ordinary strengthening of consumer demand; a double-digit growth in per capita income in dollar terms, reaching \$ 736; investment upturn gaining a strong footing, particularly private sector investment which remained buoyant owing to a rare confluence of various positive developments; an unprecedented increase in credit to the private sector for the second year in a row; sharp increases in the consumption of oil, gas, electricity and coal reflecting rising level of economic activity; fiscal deficit remaining on target despite a Rs.50 billion shortfall in revenue on account of lower collection of petroleum development levy (PDL); higher than targeted collection of taxes; a high double-digit growth in exports and imports; workers’ remittances maintaining their momentum; a continued accumulation of foreign exchange reserves and stability in the exchange rate; a sharp decline in the public and external debt burden; privatization programme continued to maintain its robust momentum; launching of the first-ever Islamic Bond (Sukuk) in international capital markets; and the performance of Eurobond remained in line with the markets, with the spread over US Treasury undergoing further compression.

It is not uncommon to see pressures building up on prices, trade and current account balances when economic activity accelerates. Pakistan’s economy is undergoing structural shifts that are fueling rapid changes in consumer spending patterns. Three years of strong economic growth complimented by record low-interest rates and the on-going structural shift of many households in Pakistan toward higher consumption have injected new life into domestic spending. The extra-ordinary surge in domestic demand in conjunction with the unprecedented rise in oil prices fueled import demand which more than offset the improved outcome for exports. Accordingly, this year has witnessed a widening of the trade deficit more than what was envisaged at the beginning of the year. With the trade gap widening, the current account balance slipped into the red after posting surpluses for three consecutive years. This year has also seen inflation rising to a 8-year high, hurting the poor and fixed income groups the most. In particular, food inflation at high double-digits has put an extra-ordinary burden on the poor segment of society as they spend the bulk of their income on food items. A surge in domestic demand on the one hand and supply side shocks emanating from rising commodity and oil prices on the other, have been responsible for the sharp pick-up in inflation this year.

This year has seen improvements in many, macro-economic indicators along with improvements in social and living conditions indicators. Results from the recently concluded Pakistan Social and Living Standards Measurement (PSLM) Survey show a marked improvement in social and living conditions indicators. Key indicators such as literacy rate, gross and net enrolment in primary, middle and metric levels; access to sanitation and safe drinking water; use of electricity and gas as sources of lighting and cooking fuel, respectively; various health indicators such as child immunization and treatment of diarrhoea, have all shown marked improvements over the last 4 to 7 years. While socio-economic and macro-economic policies pursued during the year have had a strong influence on across-the-board improvement, an increasingly broad and dynamic global recovery has aided Pakistan in this endeavour.

### **Global economic environment (2004-2005)**

From the developing countries' perspective, the global economic environment this year (2004-2005) has been relatively less benign than last year (2003-2004). In terms of economic recovery, the world economy enjoyed one of its strongest years of growth (5.1%) in 2004 and this momentum is expected to continue this year, albeit at a more moderate pace (4.3%), owing to higher and volatile oil prices and rising interest rates. Although the global economy posted strong growth in 2004, the overall picture hides growing divergence across regions. Growth in the United States was stronger than expected on the back of strong domestic demand but it was disappointing in Europe and Japan – the two major growth poles of the world economy, reflecting weak domestic demand and equally weaker export performance.

The story of emerging markets is altogether different. Real GDP growth in 2004 exceeded expectations in almost all regions. In emerging Asia, China's growth momentum remained very strong while growth in India also remained robust. Pakistan's growth performance in emerging Asia has also been extra-ordinarily strong on the back of strengthening domestic demand and robust global economic expansion. In the ASEAN region, Indonesia, Malaysia, Thailand and the Philippines posted growth in the range of 5 to 6 percent. While South Asia remained a strong performer on account of sharp pick-up in growth in Pakistan and India, Sri Lanka and Bangladesh also experienced growth of over 5 percent. Robust global growth of the last two years has strengthened the external demand environment, which contributed to the sharp pick-up in growth in developing countries via strong increases in exports. Pakistan also benefited from a healthy external demand environment as its exports continued to grow at high double-digits during the last two years.

Notwithstanding strong global economic expansion supporting growth in developing countries, several other factors have impacted these countries adversely to varying degrees. These factors include: rising oil prices, sliding dollar, rising inflation and interest rates. This year (2004-2005) has seen an unprecedented rise in oil prices on the back of rising demand and a series of supply disruptions including capacity constraints in raising supply. Although the main consumers of oil continue to be the industrialized world (US, OECD Europe, and Japan together consume about half of annual oil output) they have at the same time prepared themselves to face oil price volatility. Over the last 30 years, they have succeeded in reducing oil intensity or use of oil per unit of output by one-half. It is the oil-importing countries who are severely affected by the unprecedented rise in oil prices in several ways. Firstly, these countries are less oil-efficient despite the fact that their oil intensity, on average, has declined by one-third; secondly, their foreign exchange reserves are relatively low and their balance of payments are fragile. Even a temporary period of higher oil prices can force substantial adjustment in domestic consumption at a considerable cost to growth and poverty reduction. The fiscal impact can be significant when domestic petroleum products prices are not adjusted accordingly. During the current fiscal year, Pakistan had to face serious difficulties in managing the cost of the unprecedented rise in oil prices. In order to shield its domestic consumers and industries from higher oil prices, it absorbed a fiscal cost of Rs.50 billion in the fiscal year 2004-05. Furthermore, it had to pay an additional \$ 700 – 800 million in oil import bills.

The sliding dollar, as a result of widening US current account deficit, raised the debt burden of developing countries on account of the valuation effect. During the first nine months of the current fiscal year, Pakistan's external debt increased by \$ 628 million due to the valuation effect alone. However, given the present outlook of exchange rate movements, particularly the weakening of the Euro after France's rejection of the proposed European Union constitution, a further decline in the valuation effect is expected in the fourth quarter of the current fiscal year. In fact, after the French rejection, the Euro was trading at a 7-month

low of \$ 1.23; and the Japanese Yen at 108.4. These are good signs for Pakistan as its external debt would decline further during the fourth quarter of the year if the decline in non-US dollar currencies continues.

The surge in international oil prices coupled with an unprecedented rise in world prices of commodities combined to spark inflationary pressures not just in Pakistan, but in the the global economy as well. Rising interest rates, reflecting a gradual tightening of monetary cycle to counter inflationary expectations, raised the cost of borrowing for developing countries. This cost is likely to adversely affect the balance of payments of developing countries, their fiscal position, as well as prospects for growth.

**LESSON 15****THE NATIONAL ENVIRONMENT POLICY 2005**

A reproduction of the relevant section on the environment from Chapter 16 titled: “Environment and Housing”, page 205 to top of page 210 from the publication titled: “Pakistan Economic Survey, 2004-05” published by the Government of Pakistan in June 2005.

The Lectures 15 and 16 identify the importance of placing all human activity and development within an environmental framework and to view the utilization of natural resources on a balanced and sustainable basis.

The two handouts will provide students with the actual text of the two official documents that are most relevant and contemporary to the subject.

At the same time, students are also advised to visit the websites of those organizations and institutions which have a particular interest in issues related to Pakistan’s environment.

These include, for example:

1. Pakistan National Committee of IUCN – The World Conservation Union, website: <http://www.iucn.org/places/Pakistan>
2. Sustainable Development Policy Institute, Islamabad, website: [www.sdpi.org](http://www.sdpi.org)
3. Belour Advisory & Social Development Organisation (BASDO) <http://www.basdo.gq.nu/>
4. Baanhn Beli - A Friend Forever <http://www.baanhnbeli.org/>
5. H.E.J. Research Institute of Chemistry <http://www.hej.edu.pk/>
6. Pakistan Institute of Labour Education & Research (PILER) <http://www.piler.sdnpk.org/>
7. Shehri-Citizens for a Better Environment <http://www.shehri.org>
8. Sungi Development Foundation <http://www.sungi.sdnpk.org>
9. World Wide Fund for Nature-Pakistan <http://www.wwfpak.org/>

**Environment and Housing**

Pakistan is conscious that pursuit of unbridled growth and development all over the world has laid a heavy burden on sustainability for the present and foreseeable future on the planet Earth. Sustainable development is, therefore, the cornerstone of all considerations by the government. Concern for environment – its protection, renewal and enrichment - has been reckoned as an obligation towards the betterment of all the citizens at large. Presently, the environmental situation has arisen due to a number of factors including high population growth rate, lack of public awareness and education, mismanagement of water and other natural resources as well as unplanned urban and industrial expansion.

During the last decade, Pakistan has made diligent progress in the institutional strengthening and capacity building of policy and planning institutions, environmental awareness, and the promulgation of environmental legislation, National Environment Quality Standards (NEQS), and the establishment of environmental tribunals. The energy sector introduced lead-free petrol and since July 2002, all refineries in the country are supplying lead-free petrol and promoting clean fuels including CNG.

The National Environment Action Plan (NEAP) that was initiated in 2001 after the approval of the Pakistan Environment Protection Council and the UNDP-funded, NEP Support (NEAP-SP) has overcome its teething problems and the tangible results from these initiatives are visible. The major objectives of NEAP-SP are to achieve a healthy environment and a sustainable livelihood by improving the quality of air, water and land with civil society cooperation. In this regard, the Initial Environmental Examination (IEE) and the Environment Impact Assessment (EIA) have already been made mandatory for public sector development projects. One of the major achievements of NEAP-SP during 2004-05 was the preparation of the draft “National Environmental Policy 2005” which has been approved by the Prime Minister in principle and is being circulated to larger stakeholders for comments. Once approved, it would be country’s first every “Environmental Policy”. This Policy would complement the objectives of NEP-SP and will address the sectoral issues like (a) Water management and conservation, (b) Energy efficiency and renewable, (c) Agriculture and livestock, (d) Forestry and plantation, (e) Biodiversity and protected areas, (f) Climate change, air quality and noise and (g) Pollution and waste management.

(Note: Subsequent to the publication of the Pakistan Economic Survey 2004-2005, the National Environmental Policy was formally approved by the Federal Cabinet. In addition, the (proposed) policy aims to address other cross-sectoral issues such as (a) Population and environment, (b) Gender and environment, (c) Health and environment, (d) Trade and environment, (e) Poverty and environment and (f) Environment and local government.

In this globalize regime it is hard to avoid the issue of “genetically modified substances”. This is proving to be the bone of contention between the EU and the US as far as their international trade is concerned. So far there were no rules and regulations to import, export, sell, purchase or trade living modified organisms, substances, and products thereof for any purposes. Keeping in view its importance for public safety as well as for international trade, the Ministry of Environment has framed and enacted “Pakistan Biosafety Rules 2005” under the Pakistan Environment Protection Act 1997. These rules would provide guidelines and regulate trade in genetically modified substances.

The Government of Pakistan is also in the process of consultations/cost-benefit analysis, of accession to the Kyoto Protocol with the major stakeholders from the public as well as the private sector, regarding their preparedness for taking advantage of accession to the Protocol.

### **Impact of Pollution**

#### **a. Air**

The key factors contributing to air pollution in Pakistan are: a) rapidly growing energy demand; and b) a fast-growing transport sector. In the cities, widespread use of low-quality fuel, combined with a dramatic expansion in the number of vehicles on roads, has led to significant air pollution problems. Air pollution levels in Pakistan's most populated cities are among the highest in the world and climbing, causing serious health issues. The levels of ambient particulates – smoke particles and dust, which cause respiratory disease – are generally twice the world average and more than five times as high as in industrial countries and Latin America (Energy Information Administration, 2004). Although Pakistan's energy consumption is still low by world standards, lead and carbon emissions are major air pollutants in urban centres such as Karachi, Lahore, Rawalpindi and Peshawar.

It may be mentioned here that the two-wheeler industry is performing very well in Pakistan. In the year 2003-04, the motorcycle industry showed a visible sign of growth when the total market size achieved a figure of around 327446 while during 2004-05 (July-March), it was 342678 units. Rickshaws have grown (increased in number) by more than 59%, while motorcycles and scooters have almost doubled over the past ten years (This data does not include locally assembled diesel engine turned (driven) “auto carts” used in rural areas). Motorcycles and rickshaws, due to their two-stroke engines, are the most inefficient in burning fuel and contribute most to emissions.

Pakistan is the largest user of CNG in Asia and has become the third-leading country in the world to use CNG to fuel vehicles. Presently, some 700 CNG stations are operating in the country while 200 are under construction. By March 2005, about 700,000 vehicles were converted to CNG as compared to 450,000 vehicles during the same period last year, showing an increase of 56%. Use of CNG as fuel in the transport sector has observed a quantum leap, replacing traditional fuels and has helped a lot in lowering the pollution load in many urban centres. After the successful CNG programme for petrol replacement, the government is now embarking upon a programme to replace the more polluting diesel fuel in the road transport sector. The government has planned to offer incentives to investors to introduce CNG buses in the major cities of the country.

During July-March 2004-05, 3681 million cubic feet of natural gas was supplied per day as against 3210 million cubic feet per day during the same period last year, showing an increase of almost 14.7 percent. For the last five years, the use of coal in the power sector has been decreasing. It may be due to the fact that a number of plants have now been converted to natural gas. Likewise, there has been a considerable reduction in coal usage for domestic purposes.

#### **b. Water**

Per capita water availability in Pakistan has been decreasing at an alarming rate. In 1951, per capita availability was 5300 cubic meters, which has now decreased to 1105 cubic meters just touching water scarcity level of



1000 cubic meters. The productivity of fresh water is also decreasing due to losses in the movement of the water from the canal heads to the croplands. The existing water resources are under threat due to rapid degradation, soil erosion, deforestation and untreated discharge of municipal and industrial wastes to rivers and other water bodies. Municipal water is treated only in two cities viz. Karachi and Islamabad though the capacity of these treatment plants is much less than the actual quantum of wastewater. Over fishing and polluted water are reducing the productivity of the marine and inshore fisheries. This situation is precarious, in particular, for mangroves in the coastal zone and certain aquatic wildlife, such as the Indus freshwater dolphin. All of these activities are contributing to the destruction of habitats and, more generally, to a loss of biodiversity.

The investigational study conducted by Pakistan Council of Research in Water Resources indicates that water in many cities of Pakistan is unsafe for human consumption due to both bacterial and chemical contamination. The overall deteriorating quality of water can be attributed to a continuous drop in the water table due to high industrial and agricultural demands. It has been observed that the water table has been decreasing at a rate of 10 feet every year.

The Government of Pakistan is committed to supply safe drinking water to its people and many emptive as well as pre-emptive measures have been proposed in the National Environmental Policy to ensure supply of safe drinking water. Various bilateral and multilateral donors/aid/lending agencies have shown their willingness to support government's endeavour in this regard. Plans are underway to extend the coverage of clean drinking water from 63 percent in 2001-02 to 70% percent in 2005-06 and sanitation from 40 percent to 55 percent in the same period. It is targeted to provide 93 percent of population with access to clean drinking water by 2005 and 90% of the population with access to sanitation.

### **c. Land**

The productivity of soil is being lost due to water-logging, salinisation and sodicity. It is estimated that about 38 percent of Pakistan's irrigated land is water logged, 14 percent is saline and the application of agricultural chemicals has increased by a factor of almost 10 since 1980. Forest cover is being lost every year, and Balochistan's Juniper forests, unique in the world, continue to be cut beyond their capacity to regenerate.

In the urban areas, less than 60 percent of solid waste is collected. No city in Pakistan has proper waste collection and disposal system for municipal or hazardous wastes. Our Industries use about 525 types of chemicals and dyes/colour in different processing industries. Their processing generates wastes causing contamination of soil and poses potential risk to public health and damage to the fertility of cropland.

### **Policies and Programmes**

The National Conservation Strategy (NCS) represents the broad National Environment Policy of Pakistan, within which a National Environment Action Plan (NEAP) has also been approved. The main objectives of NEAP are to safeguard public health, promote sustainable livelihood and enhance quality of life for the people of Pakistan. It focuses on clean air, clean water, solid waste management and eco-systems management. The government has also formulated a comprehensive strategy to develop provincial capacity for implementing environmental protection laws and monitoring their effectiveness. The following strategies and plans are envisaged:

#### **National Resettlement Safeguard Policy (NRSP):**

The NRSP will be promulgated to minimize negative environmental and social impacts of land acquisition and rehabilitation for national projects, and displacement of native people.

#### **National Response Strategy on Climate Change:**

This policy-guiding document is also nearing completion, which envisages policies and action plans to combat adverse impacts of climate change on different sectors of the economy, with existing sources of technical and financial cooperation.

**National Land Use Programme: Other Plans:**

These include Forest Sector Master Plan, National Forest Policy, Biodiversity Action Plan and Desertification Combat Action Plan, Maritime Policy is currently under preparation, which will be finalized and implemented. Integrated Coastal Zone management Plan will be formulated.

Conservation will focus on the following areas:

**Energy efficiency and renewable energy:**

Energy efficiency will be significantly improved by implementing an efficiency plan. Conventional sources of energy will be conserved. The proportion of renewable sources will be increased incrementally in the coming decades. Pakistan Council for Renewable Energy Technology (PCRET) would undertake a comprehensive implemental action plan for development of non-conventional technology.

**Land and Water:**

Irrigation and water management systems need both short-term and long-term rectification to minimize water distribution losses. The overriding principle of the ongoing National Drainage Programme (NDP) is not to pollute the Indus Basin System and fresh water reservoirs by discharging saline effluents. The on-farm water management (OFWM) programme will line and renovate existing 90,000 watercourses to enhance irrigation efficiency up to 70%. Efficient irrigation methods along with lining of existing canal networks will be adopted to economize water use and to control water logging and salinity.

**Forests:**

State-owned forests will be regenerated and protected with intimate involvement of local communities in forests management. Local governments and union councils would bring in more private marginal lands under forests cover within a defined legal framework to avoid alienation of land use. State-owned wastelands may be leased out to tenants for expansion of forest cover.

Production systems and consumption patterns will be rationalized through the following measures:

**Regional pricing system:**

The input and output prices will be rationalized to achieve minimal unit cost of production ensuring sustainability of the agriculture sector. Agricultural and industrial pricing systems will be reformed to consider the costs of natural resources (land, water and air), for estimating the real cost of production per unit.

**Environmental accounting and auditing:**

In industrial sector, environmental economics, accounting and auditing would be introduced, which on the one hand would ensure cleaner production and standards certification e.g. ISO 14000 series, and on the other, determine the actual cost of production including hidden environmental costs.

**Agro-eco-zoning:**

The under-preparation Land Use Plan will facilitate agro-eco-zoning of Pakistan in relation to comparative advantages of crops. Production of high water-demanding and susceptible crops will be discouraged; environmentally valued crops will be promoted.

Air and water pollution will be managed in the following ways:

**Fuel switching and clean fuels:**

Emissions of air pollutants will be gradually brought within the safe limits, through promoting unleaded gasoline, low sulphur fuel oil/diesel, and gradual switching to natural gas/CNG. Consequently, health hazards and cost of air pollution will be gradually reduced. Promoting energy-efficient and clean technologies

will bring emission levels well within the admissible limit of 114,000 Gigagrams (Base Year 1994 level for developing countries), and greenhouse gases (GHGs).

**Water quality monitoring:**

The Environment Protection Agency (EPA) with the collaboration of district and local governments will effectively monitor urban wastewater and industrial effluent discharges into rivers/water bodies to check water pollution.

Governance will be improved and institutions strengthened through the following set of actions:

**Legislation enforcement:**

Strengthening of the Pakistan Environmental Protection Agency (PEPA) and provincial Environment Protection Departments in order to enable them to perform the mandated functions. Local governments under the new set-ups will be strengthened and administratively empowered to enforce legislation and monitor natural resources. Enabling institutional and legal frameworks for National Environment Quality Standards (NEQS) enforcement, implementing Environment Impact Assessment (EIA) and Strategic Environment Assessment (SEA) will be established.

**Environmental tribunals:**

Currently, two tribunals are functioning in Lahore and Karachi. During the coming three years full financial and manpower support will be extended to make them fully functional to prosecute environmental violations.

**Institutional strengthening:**

Strengthening of institutions in public, private and NGO sectors, concerned with planning, project formulation and implementation of projects through training and capacity building programmes. The district and local governments under the new set-up will be specifically focused for capacity building programmes on environment.

**Awareness and education:**

Electronic and print media will be used for enhancing environmental awareness, dissemination of government policies, plans and programmes for invoking participation of district and local institutions in implementing them. Formal environmental education will also be promoted through building human resources capacities, and technological support of national academia.

**Participation of NGOs and communities:**

Programmes for community mobilization for sustainable management of natural resources, through active involvement of custodian communities in planning, implementation, and monitoring and evaluation processes.

**LESSON 16****NATIONAL ENVIRONMENTAL POLICY 2005**

GOVERNMENT OF PAKISTAN  
MINISTRY OF ENVIRONMENT

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**1. Preamble**

The National Environment Policy provides an overarching framework for addressing the environmental issues facing Pakistan, particularly pollution of fresh water bodies and coastal waters, air pollution, lack of proper waste management, deforestation, loss of biodiversity, desertification, natural disasters and climate change. It also gives directions for addressing the cross sectoral issues as well as the underlying causes of environmental degradation and meeting international obligations.

The National Environment Policy, while recognizing the goals and objectives of the National Conservation Strategy, National Environmental Action Plan and other existing environment related national policies, strategies and action plans, provides broad guidelines to the Federal Government, Provincial Governments, Federally Administrated Territories and Local Governments for addressing environmental concerns and ensuring effective management of their environmental resources. The Provincial, AJK, Northern Areas and Local, Governments, however, may devise their own strategies, plans and programs in pursuit of this Policy.

**2. The National Policy****2.1. Goal**

The National Environment Policy aims to protect, conserve and restore Pakistan's environment in order to improve the quality of life of the citizens through sustainable development.

## 2.2. Objectives

The objectives of the Policy are:

- (a) Conservation, restoration and efficient management of environmental resources.
- (b) Integration of environmental considerations in policy making and planning processes.
- (c) Capacity building of government agencies and other stakeholders at all levels for better environmental management.
- (d) Meeting international obligations effectively in line with the national aspirations.
- (e) Creation of a demand for environment through mass awareness and community mobilization.

## 3. Sectoral Guidelines

### 3.1. Water Supply and Management

To provide sustainable access to safe water supply and effectively manage and conserve the country's water resources, the government may:

- (a) Develop legal and policy framework for promotion of safe drinking water in Pakistan.
- (b) Increase coverage of water supply and water treatment facilities.
- (c) Establish a water quality monitoring and surveillance system.
- (d) Make installation of water treatment plants as an integral component of all drinking water supply schemes. .
- (e) Promote low-cost water treatment technologies at the community and household levels.
- (f) Promote appropriate technologies for rain water harvesting in rural as well as urban areas.
- (g) Encourage artificial recharge of groundwater in arid and semi arid areas.
- (h) Promote metering of water consumption to discourage the indiscriminate use of water for industrial and municipal purposes.
- (i) Enact Water Conservation Act and relevant standards to foster water conservation.
- (j) Promote integrated watershed management.
- (k) Monitor sustained freshwater flows into the marine eco-systems.
- (l) Establish standards for classification of surface waterbodies.
- (m) Launch phased programs for clean up and gradual up-gradation of the quality of water bodies. .

### 3.2. Air Quality and Noise

In order to prevent and reduce air pollution and noise, the government may:

- a) Establish and enforce standards for ambient and indoor air quality.
- b) Enact the National Clean Air Act.
- c) Ensure effective enforcement of the National Environmental Quality Standards and Self Monitoring Rules.
- d) Ensure reduction and control of harmful emissions through regulatory programs.
- e) Regulate vehicular emissions.
- f) Establish standards for vehicles at the manufacturing stage.
- g) Update and enforce fuel specifications.
- h) Make use of catalytic converters in new and in-use vehicles mandatory.
- i) Phase out sulphur from diesel and furnace oil.
- j) Promote cleaner production technologies.
- k) Phase out two stroke vehicles.
- l) Encourage cost effective inter-city mass transit systems in major cities.
- m) Promote non-motorized means of travel such as cycling and walking through provision of adequate walkways and cycle lanes in cities.
- n) Establish and enforce standards for ambient noise.
- o) Establish emission standards to control noise at source.

### 3.3. Waste Management

Pollution caused by liquid and solid waste in the country would be prevented and reduced. For this purpose, the government may:

- a) Strictly enforce the National Environmental Quality Standards and Self- Monitoring and Reporting System.
- b) Introduce discharge licensing system for industry.
- c) Make installation of wastewater treatment plants an integral part of all sewerage schemes. .

- d) Devise and implement the National Sanitation Policy.
- e) Devise and implement master plans for treatment of municipal and industrial wastewater in urban and rural areas.
- f) Establish cleaner production centers and promote cleaner production techniques and practices
- g) Encourage reduction, recycling and reuse of municipal and industrial solid and liquid wastes.
- h) Develop and enforce rules and regulations for proper management of municipal, industrial, hazardous and hospital wastes.
- i) Develop and implement strategies for integrated management of municipal, industrial, hazardous and hospital waste at national, provincial and local levels.
- j) Develop and enforce regulations to reduce the risk of contamination from underground storage tanks.
- k) Devise and implement guidelines for sustainable management of mining and oil exploration interventions as well for rehabilitation of expired mines/exploration sites.
- l) Launch National Oil Spill Contingency Plan.
- m) Adopt measures for mitigation of pollution caused by oil spills.
- n) Establish a Marine Pollution Control Commission.
- o) Frame Pakistan Oil Pollution Act.
- p) Develop environmental risk assessment guidelines for existing industries as well as new development interventions.
- q) Develop national emergency response and accidents preventions plans to prevent, and mitigate the effects of, accidents involving pollution of environment.
- r) Provide financial and other incentives (reduction/elimination of tariffs, low interest loans, appreciation certificates and awards) for technology upgradation, adoption of cleaner technology, implementation of pollution control measures and compliance with environmental standards.

### 3.4. Forestry

To ensure sustainable management of natural forests of Pakistan and increased tree cover for "safeguarding economic growth and food security in the country, the government may:

- a) Implement the National Forest Policy.
- b) Carry out intensive institutional and legal reforms both at the federal and provincial levels to promote good forest governance.
- c) Promote social, farm forestry and irrigated plantations.
- d) Develop and sustainably manage the riverine forests alongwith irrigated plantation and tree plantation on farm-lands.
- e) Develop and implement a strategy and an action plan for protection and rehabilitation of mangrove forests with the participation of local communities.
- f) Preserve relict and unique forests eco-systems.
- g) Encourage conservation and restoration of critically threatened eco-systems.
- h) Provide alternative sources of energy, like piped natural gas. Liquefied petroleum gas (LPG), solar energy and micro-hydel power stations, to the local inhabitants to reduce the pressure on natural forests, and to substitute firewood in the upland ecosystems.
- i) Strengthen the existing forestry research and training institutions with adequate infrastructure and technical manpower development;
- j) Promote sustainable management of rangelands and pastures through preparation and implementation of integrated range management plans.

### 3.5. Biodiversity and Protected Areas

The government would promote the conservation and sustainable use of Pakistan's biodiversity and effective management of protected areas, and the equitable sharing of benefits arising thereof for the well-being of the nation. In order to achieve this, the government may:

- a) Ensure effective implementation of the Biodiversity Action Plan.
- b) Revise and update the Biodiversity Action Plan in line with developments taking place at the national and international levels.
- c) Create new national parks and protected areas.

- d) Develop and implement protected areas system plan for in-situ conservation of biodiversity with community involvement.
- e) Encourage involvement of local communities in conservation and sustainable use of biodiversity through provision of incentives and responsibilities.
- f) Prepare a national strategy and action plan for combating spread of invasive species.
- g) Enforce bio-safety rules and guidelines and adopt necessary biosafety related legal framework.
- h) Establish a National Institute of Biodiversity and Ecosystem Sciences at the Federal level with the objective of enhancing training and research capabilities in the fields of biodiversity conservation and ecosystem management.
- i) Promote ex-situ conservation of biodiversity through establishment of botanical gardens, gene banks, zoos and captive breeding of animals and plants.
- j) Develop National Zoological Gardens Act.
- k) Devise guidelines for accreditation and registration of private wild animal captive breeding centers) Prepare and implement integrated coastal zone management plans for protection of marine life.
- m) Develop and implement a comprehensive National Wetlands Policy.
- n) Develop policy and regulatory framework for conservation, cultivation and marketing of medicinal/economic plants.
- o) Create protected areas for conservation of marine eco-systems.
- p) Ensure that any mining activity within and in the vicinity of national parks does not compromise the objectives of protected areas.
- q) Harvest fisheries on a sustainable yield basis.
- r) Protect fish habitats against both encroachment and pollution.
- s) Use full potential of inland fisheries to promote aquaculture.
- t) Improve quality management for fish catches for export and domestic utilization.
- u) Develop and implement area conservation strategies for urban centers and towns of historical and cultural significance.
- v) Promote eco-tourism concept and practices.

### 3.6. Climate Change and Ozone Depletion

In order to effectively address challenges posed by climate change and to protect the ozone layer, the government may:

- a) Devise and implement the National Climate Change Policy and Action Plan.
- b) Establish National Clean Development Mechanism (CDM) Authority.
- c) Develop and implement policy and operational framework for effective management of CDM process.
- d) Promote the use of ozone friendly technologies.
- e) Phase out the use of ozone depleting substances in line with the provisions of the Montreal Protocol.

### 3.7. Energy Efficiency and Renewable

The government would promote energy" efficiency and renewable sources of energy in order to achieve self reliance in energy supplies and as a means to sustainable development. To this end, the government may:

- a) Devise and implement National Energy Conservation Policy.
- b) Formulate and enact energy conservation legislation and audit standards.
- c) Make the Building Energy Code as part of the Building Code of Pakistan.
- d) Strengthen financial mechanisms, institutions, and associated policies and regulations to provide innovative lending especially in the demand side efficiency improvement.
- e) Give preferential status and tax incentives to energy efficient domestic products and imports.
- f) Develop and implement a plan for conversion of public transport to CNG.
- g) Establish energy resource and information centers in provinces
- h) Institute the National Energy Conservation Award.
- i) Promote renewable forms of energy (wind, solar, bio-gas etc.) at all levels.
- j) Encourage use of waste resources for energy production.

### 3.8. Agriculture and Livestock

To achieve sustainable agricultural and livestock development, the government may:

- a) Ensure protection and preservation of prime agricultural land from conversion for other uses through introducing land use planning and zoning.
- b) Promote organic farming.
- c) Prevent soil degradation and restore and improve degraded lands.
- d) Promote integrated pest management and discourage indiscriminate use of agrochemicals.
- e) Develop strategies and programs to tackle desertification in line with the National Action Plan to Combat Desertification and Drought.
- f) Establish National Desertification Control Fund.
- g) Encourage ecologically compatible cropping systems.
- h) Enhance existing livestock production through development of new technologies, scientific methods of farming and improved management interventions.
- i) Promote recycling of agricultural products associated with livestock production and use of livestock sector as an outlet for recycling of appropriate urban wastes.
- j) Encourage highly productive breeds of livestock.
- k) Introduce adequate animal waste management system in peri-urban dairy colonies.

### 3.9. Multilateral Environmental Agreements

The government would continue to play a proactive role to ensure protection of regional and global environment and cooperate with the international community in promotion of sustainable development. In this context, the government may:

- a) Effectively participate in regional and international fora to foster cooperation for protection of environment and natural resources.
- b) Ensure effective implementation of all bilateral, regional and international multilateral environmental agreements, protocols and conventions to which Pakistan is a party, in line with national policies and priorities.
- c) Develop and implement national strategies and action plans for all multilateral environmental agreements, Johannesburg Plan of Implementation and Millennium Development Goals.

## 4. Cross Sectoral Guidelines

### 4.1. Poverty and Environment

To achieve environmental sustainability and poverty reduction in the context of economic growth, the government may:

- a) Integrate poverty-environment issues into economic policies and plans.
- b) Increase allocations for targeted interventions aimed to address poverty environment nexus, especially at the grassroots level.
- c) Enhance community-level environmental management by strengthening the capacity of union councils, tehsil municipal administration and district governments.
- d) Improve poor's access to environmentally-sound technologies such as improved cooking stoves, crop production technologies that improve soil and water conservation and integrated pest management.
- e) Regularize all the notified katchi abadis and upgrade katchi abadis and slum (squatter settlements) through provision of water supply and sanitation facilities.
- f) Devise and implement the National Resettlement Policy.

### 4.2. Population and Environment

To address the population environment nexus effectively the government may:

- a) Integrate environmental considerations into population policies and related projects and programs.
- b) Formulate and implement culturally appropriate strategies and action plans for invigorating population planning programs, especially in critical eco-systems.
- c) Encourage behavioral change communication to promote environment friendly consumption patterns.
- d) Increase public awareness of the problems of unchecked population growth and its demand on natural resources.
- e) Channelize migration to the intermediate/smaller agro-based towns through provision of necessary infrastructure and support facilities.
- f) Upgrade living environment in rural settlements in order to generate reverse migration.



- g) Develop master plans to ensure development of cities towns and rural dwellings in a planned manner.
- h) Ensure equitable access to land and other environmental resources.

#### 4.3. Gender and Environment

It would be ensured that all environment related policies, projects and programs are gender-sensitive and promote empowerment of women. To this end, the government may:

- a) Compile statistics of gender-disaggregated environmental goods and services.
- b) Ensure effective participation of women in environmental projects and programs.
- c) Mainstream gender in all relevant policies and plans.
- d) Address the environmental issues which impact women more adversely such as indoor air pollution and lack of access to water supply sources.
- e) Include gender and environment" in the curricula of education and training programs on environment.

#### 4.4. Health and Environment

To prevent, minimize and mitigate detrimental health impacts associated with environmental hazards, the government may:

- a) Incorporate environmental health and healthcare waste management components into medical teaching and training programs.
- b) Develop and enforce occupational health and safety rules and regulations.
- c) Introduce effective waste management system in all healthcare facilities.
- d) Make the provision of safe water and sanitation facilities mandatory for all public facilities such as hospitals and schools.
- e) Promote dissemination of information on preventive health care at the grassroots level.

#### 4.5. Trade and Environment

To avail optimal benefit from, and safeguard Pakistan's environment and exports against any adverse effect of, trade liberalization, the government may:

- a) Certify/accredit private and public sector environmental laboratories.
- b) Promote ISO 14000 series certification.
- c) Build the capacity of public and private sector organizations in relevant areas such as ISO certification, technology transfer, laboratory certification and testing.
- d) Undertake sector-specific research on the environmental effects of tariffs and subsidies.
- e) Develop strategies to deal with import of goods and technologies which could have detrimental effect on country's environment.

#### 4.6. Environment and Local Governance

Effective environmental management at the local level with active participation of all key stakeholders would be ensured. For this purpose, the government may:

- a) Develop and implement district and tehsil level environmental management plans.
- b) Build capacities of elected district government representatives and local government officials for effective management and participation in environmental governance.
- c) Devolve necessary powers to local governments to ensure effective environmental management.
- d) Establish sustainable development funds at the district levels.

#### 4.7. Natural Disaster Management

To ensure disaster risk reduction and adequate preparedness for natural disasters, the government may:

- a) Develop and implement a natural disaster management strategy.
- b) Establish- disaster management institutions at the Federal and Provincial levels

### 5. Policy Instruments

The following key instruments would be employed for achieving the objectives of the Policy:

1. Integration of environment into development planning
2. Legislation and regulatory framework
3. Capacity development -

4. Economic and market based instruments.
5. Public awareness and education
6. Public-private-civil society partnership

### **5.1. Integration of Environment into Development Planning**

- a) Environmental considerations would be integrated into sectoral policies and plans.
- b) Environmental Impact Assessment related provisions of the Pakistan Environment Act, 1997, would be diligently enforced for all development projects.
- c) Environmental Protection Agencies/Environmental. Protection Departments would be made members of the Provincial Departmental Working Committees.
- d) Strategic Environmental Assessment would be promoted as a tool for integrating environment into decision-making.
- e) Environmental and natural resource accounting would be integrated in the national accounting system.

### **5.2. Legislation and Regulatory Framework**

- a) Existing environmental legislative and regulatory framework would be strictly enforced.
- b) Necessary rules, regulations and standards would be developed for operationalization of the Policy at the Federal, Provincial and District level.
- c) Existing environmental legislation would be revised and new legislation would be enacted where required and appropriate.

### **5.3. Capacity Development**

- a) Capacity of the Ministry of Environment, Provincial Environment Departments, Environmental Protection Agencies, district and tehsil governments and other relevant government and non-government institutions and organizations at all levels would be strengthened by provision of adequate staff, equipment, infrastructure and financial resources to enable them effectively implement the Policy.
- b) A national environmental information management system would be established to provide accurate and timely information for informed decision making as well as ensure public access to environmental information.
- c) Short, medium and long-term programs would be designed and implemented after comprehensive training needs assessment.
- d) Public sector training institutions would be encouraged to integrate environment in their curricula.
- e) National research priorities in the environment sector would be identified and adequate funding would be made available to undertake need based research in priority areas.
- f) Relevant research and development institutions would be strengthened.

### **5.4. Economic and Market Based Instruments**

- a) Environmental fiscal reforms would be promoted.
- b) Trade barriers for the import of clean technologies, fuels, and pollution control equipment would be removed.
- c) Incentives including reduced tariffs, tax concessions and other incentives (such as environment and energy award) would be offered to private and public sector for compliance with environmental laws and standards.
- d) Sustainable development funds would be operationalized at the federal and provincial levels.
- e) Industries would be encouraged to introduce environmental accounting systems in their financial management systems.
- f) Special credits/low interest loans/subsidies would be offered for the establishment of waste management system, introduction of clean technology and relocation of polluting industries.
- g) Opportunities for green business such as environmental engineering manufacturing and installations, environmentally-certified products and businesses, energy service and conservation companies, and ecotourism would be promoted.

### 5.5. Public Awareness and Education

- a) A national strategy would be developed and implemented for raising environmental awareness of the general public as well as selected target groups (e.g. elected representatives, religious scholars) at the Union Council, Tehsil, District, and Provincial and Federal levels.
- b) Environmental education would be integrated into all levels of curricula and syllabi from primary to university levels.
- c) Establishment of environmental education and training institutions would be encouraged.
- d) Educational institutions throughout the country would be supported in establishment of environmental clubs.

### 5.6. Public-Private-Civil Society Partnership

- a) Federal, provincial and local governments would be encouraged to build strategic partnerships with private sector and civil society organizations for effective environmental management through creation of enabling environment.
- b) Public-private partnerships for expansion and improvement of environmental services such as potable water supply, sewage disposal, efficient transport and efficient energy production would be promoted.
- c) Sector-specific advisory committees involving public, private and civil society organizations would be established.
- d) The concept of "participatory approaches and practices" would be included in the curriculum of environmental education and training programs.

## 6. Implementation and Monitoring

Following the approval of the Policy, the Ministry of Environment would develop an "Action Plan" for its implementation. All relevant Ministries, Departments and Agencies would also devise plans and programs to implement "the policy provisions relating to their respective sector/sub-sector. Similarly, the Provincial Governments, Federally Administrated Territories and local governments would also devise their own strategies, plans and programs for implementation of the Policy. To ensure effective coordination of Policy implementation and oversee the progress in this regard, a "National Environment Policy Implementation Committee" would be established at the Federal level. The composition of the Committee is as follows:

1. Secretary, Ministry of Environment Chair
2. Secretary, Planning and Development Division
3. Secretary, Ministry of Industries
4. Secretary, Ministry of Finance
5. Secretary, Ministry of Food, Agriculture and Livestock
6. Secretary, Ministry of Health
7. Secretaries of Provincial/ AJK/NA Environment Departments
8. Three representatives from the Corporate Sector/Chambers of Commerce and Industry
9. Three representatives from the Civil Society Organizations
10. Director General (Environment), Ministry of Environment (Secretary/Member) "National Environment Policy Implementation Committee" would meet biannually. The Committee would report the status of implementation of the Policy to Pakistan Environmental Protection Council on regular basis.

An "Environment Policy Directorate" would be established in the Ministry of Environment to serve as the Secretariat to the Committee. All relevant Federal Ministries as well as Provincial Governments' would also create special cells to coordinate implementation of the Policy. Furthermore, Provincial, District and Tehsil Governments would also constitute "Policy Implementation Committees" in order to ensure coordinated implementation of the Policy through effective participation of all stakeholders, including corporates and civil society organizations.

**LESSON 17****THE CHILDREN OF PAKISTAN**

**Note:** The text of this handout is excerpted from the publication titled: “State of Pakistan’s Children - 2004” compiled and published by the Society for the Protection of the Rights of the Child (SPARC) whose Head Office is located in Islamabad and which publishes such an Annual Report each year.

SPARC is led by a group of volunteers who serve as its Board of Directors whose Chairman happens to be the lecturer for this series.

Having completed over 10 years of existence under the able leadership of Advocate Anis Jillani, SPARC seeks to monitor the condition of children with special reference to access to education, health and basic services as well as their legal and social rights. Primarily functioning as an advocacy group, SPARC also does a limited amount of service delivery work.

The handout focuses the attention of students on the need for Pakistan to bring its own laws and policies in line with the UN Convention on the Rights of the Child and refers to comments made by the Geneva-based UN Committee which deals with this particular subject.

Students are advised that if they wish to obtain further information about SPARC, they should contact organization at: <http://www.sparcpk.org>, email: [sparc@comsats.nt.pk](mailto:sparc@comsats.nt.pk). There are several other organizations in Pakistan doing commendable work on behalf of children.

**Excerpt:****Implementing the United Nations Convention on the Rights of the Child in Pakistan (UNCRC)**

Pakistan signed and ratified the UNCRC effective December 12, 1990 and, earlier in the year in September, co-hosted the World Summit for Children. The year 2004, also designated as the “Year of Child Welfare and Rights” thus marks the fourteenth year of a major international commitment. Unfortunately, Pakistan’s progress towards meeting this obligation has been slow and measures required for implementation of the UNCRC have been weak on all counts. The UN Committee on the Rights of the Child in its Concluding Observations to Pakistan’s Second Periodic Report, which was reviewed in 2003, made a number of recommendations to improve upon the implementation status of the UNCRC.

**Law Reforms**

A UNICEF study of the implementation process initiated in 50 countries after the adoption of the UNCRC, with particular focus on legal and institutional reforms at the national level, shows that the Convention has been incorporated into the national legal framework of most of these countries. In some countries, it was automatically integrated into the legal framework by existing constitutional principles, while in others; it was incorporated into national law by legislation adopted specifically for this purpose. In some, there has been a more gradual reform of different legislations concerning children, while some have only focused on the design and implementation of programs, rather than law reform.

In Pakistan, international legal obligations can only become part of national law through enabling legislation developed for this purpose. There have been no steps taken to incorporate the Convention into domestic legislation. The existing legislative framework is inadequate and lacks harmonization with the provisions of the UNCRC. Even specific laws for protecting children against violence and exploitation or for promoting their rights are either not enforced, or poorly implemented. Then there are legal provisions that actually discriminate on the basis of gender, and even condone violence against children. In addition, laws that are enforced in the rest of the country are not de facto applied in the Northern Tribal Territories, and therefore children living in these territories do not fully enjoy their rights. The Committee on the Rights of the Child has reiterated in its recommendation that Pakistan should scrutinize carefully existing legislative and other measures, both at the federal and provincial levels, with a view to ensuring that the provisions and principles of the Convention are implemented throughout the territory.

As a measure of compliance with the UNCRC, the Government of Pakistan, in 2003 initiated a process of review of child-related laws in order to bring them into conformity with the Convention. A report on its findings and recommendations is still awaited. This piecemeal approach to legislative reform, as adopted by Pakistan, which only brings part of the national law into conformity with the UNCRC, will not provide the protection that a national law, which incorporates the whole range of rights set forth in the UNCRC can. The temporary repeal by the Punjab High Court of a juvenile justice related law is a case in point.

The only major step taken to enact legislation according to the UNCRC provisions was the promulgation of the JJSO (Juvenile Justice Systems Ordinance 2000). The JJSO was hailed as an important breakthrough in bringing a major law in conformity with international law, incorporating, as it did, many of the fundamental principles for the administration of juvenile justice. In the past four years, even though the law was not effectively implemented, it had begun to make a difference. There was increased recognition of the rights of juveniles, due in great part to the efforts of the Society for the Protection of the Rights of the Child under its project with DSC, and initial steps had been taken to conform judicial practices to the new standards.

Unfortunately, this one and only positive step suffered a major setback by the Lahore High Court judgment of December 6, 2004, which struck down the JJSO on grounds of it being unconstitutional, unreasonable and impracticable. The UNCRC was cited as a major justification for JJSO's enactment and its continuity; and the Court expressed its inability to enforce and conform to the principles of the Convention as it said UNCRC is not part of the domestic law of the country. The Bench also ordered the abolition of juvenile courts and transfer of all cases pending with them to the ordinary courts of competent jurisdiction in the Punjab. The Bench was critical of the concessions given in different sections of the law, in particular those pertaining to the abolition of death penalty and the introduction of the new ceiling of age. The move, which ironically came in the "Year of Child Rights and Welfare", indicates the level of awareness regarding the provisions of the UNCRC and government's international obligations as well as the gap between internationally accepted principles and local legislation.

On a subsequent appeal to the Supreme Court filed by the Society for the Protection of the Rights of the Child, the Supreme Court suspended the judgment of the Punjab High Court, thus reviving, till the final conclusion of the hearing by the Supreme Court on the petition, the validity of the JJSO.

### **Independent Human Rights Institutions for Children**

Establishing independent children's rights institutions is considered a reflection of government's commitment to achieving effective implementation of the UNCRC. A number of countries, following ratification of the UNCRC have made progress on this front and have set up, through law, such independent monitoring structures, in the form of a children's ombudsman, children's commissioners or focal points within existing national human rights monitoring structures.

The UN Child Rights Committee expressed its concern at the lack of an independent monitoring structure in Pakistan, with a mandate to regularly evaluate progress in the implementation of the Convention, and that would also be empowered to receive and address individual complaints of violations of the rights of the child. The Committee recommended the establishment of an "independent and effective monitoring mechanism in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles, General Assembly resolution 48/134) and taking into account the Committee's general comment number 2 on the role of independent human rights institutions, ensuring that it is provided with adequate human and financial resources, and which should be easily accessible to children. It should have a mandate to monitor the implementation of the Convention as well as to receive and address complaints from children, and do so in a child-sensitive and expeditious manner.

### **What is a National Plan of Action?**

A National Plan of Action is a statement by a government of the key issues for children in that country. It indicates how the government will:

- Keep the promises it made at the United Nations General Assembly Special Session (UNGASS), and who is responsible for doing so.
- Adopt the goals of the UNGASS to make them relevant to the specific reality and needs of that country.

- Develop specific national goals and targets which can be measured to see how far they are being achieved.
- Take practical steps to achieve the goals and targets.
- Build these goals and targets into other policies, plans and programs.
- Find the money and other resources to achieve the goals and targets.
- Check on the progress it is making towards the goals and targets.
- Work with other stakeholders, such as children and NGOs.
- Once National Plans of Action have been **prepared** they will be **implemented**, i.e. put into action. Over time, they will need to be **monitored** to ensure that they are achieving what was planned.\*

\* National Plans of Action for Children involving Children and Young People in their Development. [www.savethechildren.ca/specialsession](http://www.savethechildren.ca/specialsession).

### **National Plan of Action**

An important step towards the implementation of the UNCRC is the development of comprehensive national plans of action, linked with the goals agreed upon at the World Summit for Children and the UNGASS on Children. At the UNGASS, world leaders committed to meet the unfinished agenda of the World Summit for Children, and agreed on a number of goals to be met by 2010. These goals set intermediate targets and benchmarks in line with the Millennium Development Goals agreed upon in 2000 at the Millennium Summit.

Following the Special Session, countries were expected to prepare, as ‘a matter of urgency’ national plans of action for children with a set of specific time-bound and measurable goals and targets. The 190 governments represented at the Special Session agreed that all this work should be completed ‘if possible by the end of 2003’.

The governments also committed to implementing the national plans of action through consideration of such measures as:

- Putting in place, as appropriate, effective national legislation, policies and actions plans and allocating resources to fulfil and protect the rights and to secure the well-being of children.
- Establishing or strengthening national bodies, such as, independent ombudspersons for children, where appropriate, or other institutions for the promotion and protection of the rights of the child.
- Developing national monitoring and evaluation systems to assess the impact of our actions on children.

The UN Committee also recommended that this process should be completed as soon as possible and that necessary measures, including budget allocation, review of legislation, monitoring and evaluation, be taken to fully implement the Plan of Action. It also recommended that a child-rights based approach be adopted in the new National Plan of Action.

In order to develop Pakistan’s plan of action, a national-level Expert Committee was established, through a notification number 4-1/2002-NCCWD dated September 12, 2002, to lead the process and also to look into the causes as to why the first NPA became redundant early in its implementation course. It was further hoped that the revised NPA would be a document developed through a participatory decentralized process given the rights based framework, and the new realities of devolution. Almost three years have passed since the UNGASS; the previous NPA lapsed almost five years ago, and the new National Plan of Action remains to be finalized. Till the end of 2004, a year after the deadline, a draft was shared with stakeholders for review but the Action Plan remains to be officially adopted. The draft NPA is a vast improvement on the previous

one and also includes provincial and regional plans, with targets, indicators, responsibilities as well as budgetary requirements. Annual reviews and a final assessment at the end of year 2015 are also factored into the NPA.

### **Permanent Institutions Responsible for the Implementation of the UNCRC**

There is a vast range of mechanisms and institutions within governments with the responsibility to coordinate efforts for the implementation of the UNCRC, including children's units in the offices of heads of state or government; committees and commissions for children; departments for children's rights; ministries for children and/or youth; and national councils for children and the rights of the child.

In Pakistan, the NCCWD (National Commission for Child Welfare and Development) acts as the advisory body to the government and works under the Federal Ministry for Social Welfare. It is in charge of policy making, implementation of policies for the welfare and development of children in Pakistan, and for coordinating activities relating to the implementation of the Convention. The NCCWD has provincial chapters and following devolution, district level commissions are being set up. These Provincial and District Commissions however, have limited financial, material and human capacity, and rely on financial support from international and bilateral donors. The UN Committee has recommended that the government take measures to strengthen coordination among the different bodies of the Government at the federal, provincial and local government levels and to ensure that the intended Pakistan Commission for the Welfare and Protection of the Rights of the Child is provided with adequate financial and human resources.

The Government of Pakistan had announced its intention to establish the Pakistan Commission for the Welfare and Protection of the Rights of the Child, which is intended to replace the existing NCCWD. There has been no development on this matter.

### **Allocation of Resources to Ensure the UNCRC Implementation:**

Implementation of the UNCRC and achieving the goals set out in the NPA require the allocation of significant additional human, financial, and material resources. Pakistan's social indicators relating to children speak of the persistently low budgetary allocations, far below the internationally recommended standards for developing countries, to critical sectors of education and health. In the education sector, Pakistan spends 2.2% of its GDP whereas Unesco recommends 4% of GDP for the education sector. In the health sector, the government spending has only recently been increased to 0.9% of its GDP. The expenditure on health per capita is \$16, out of which the government spends only \$4. The WHO recommends \$36 for a package of essential health services. How these meager resources are spent is also a matter of concern: equitable distribution of resources is of essence in a rights-based approach to development. In Pakistan, the rural and remote areas of the country remain deprived of many essential social services. The flexibility allowed by the UNCRC's Article 4, which refers to 'maximum extent of available resources' has become a ready excuse for justifying poor performance in this area.

Despite the commitments made by the State Party (i.e. Pakistan) at the fifty-ninth session of the UN Commission on Human Rights to invest liberally in the health, education and development of children, the UN Child Rights Committee expressed its concern at the limited resource allocations for children, and at the modest portion of the budget that is allocated for social activities, such as health and education. The Committee noted that not enough attention has been paid to allocating budgetary resources "to the maximum extent of ... available resources" for the implementation of the Convention and recommended that the State Party give priority to increasing budget allocations for children, ensuring a judicious distribution of the resources between different fields, and paying particular attention to enhancing the budget allocations for social activities, in particular health, education and child development.

**LESSON 18****“THE HEALTH SECTOR OF PAKISTAN”**

Text of **handout** for students

Note: In order to provide students with an alternative yet constructive view of the official Health policies and the declared approaches, the text of this handout has been selected from a publication produced by a leading civil society organization devoted to the public interest and one which takes a special interest in health issues.



## LESSON 19

## NGOS AND DEVELOPMENT

Text of one **handout** for students

Note: This handout which is titled: “Working with the poor” is meant to provide students with a background to the specific social context in which attempts can be made to form small, non-official organizations that are also called: “community-based organizations” (CBOs) and which are the smallest versions of non-governmental organizations (NGOs).

The text of this handout concentrates exclusively on the sociology, the psychology and the organizational technology relevant to that segment of society which has the lowest levels of income i.e. the poor and / or the poorest, who most need and deserve support in development but who are also the most difficult segment of society to work with in the conventional sense.

The handout is a chapter in the book titled: “Storms and Rainbows” by Javed Jabbar published by Summit Media and Royal Book Company, BG-5, Rex Centre, Zebunnissa Street, Karachi 74400, Tel: 5684244, 5653418, e-mail: [royalbook@hotmail.com](mailto:royalbook@hotmail.com).

**Working with the poor**

Social mobilization, in the context of development in general and South Asia in particular refers to the process by which the poor and the disadvantaged segments of society are sensitized to the full range of their human, civic, social and political rights.

They are also made aware of their responsibilities, despite being poor and disadvantaged. The poor should be informed about case studies from other approximately similar situations in which people sharing the same problems that they do were able to initiate change for the better in their lives through new forms of organization and collective action.

The most deprived segment of society has to be persuaded to either refine or strengthen any existing community organizations which already exist amongst the poor and disadvantaged or facilitated to establish new organizations that will harness their shared energies towards collective betterment.

Once the poor have decided on the particular organizational form they wish to use, they have to be trained in the crafts and skills of establishing and operating effective organizations of the poor, including the methodology of how to present their perceptions and their proposals seeking the alleviation of their suffering, to the relevant and selected target groups in society which can extend support to them.

In the context of demographic location, the poor can be concentrated in a particular, geographically defined area or, equally, be scattered or spread over an entire province of our country. But as social mobilization in this context refers to the poor and the disadvantaged, it would not apply to areas where the rich and the upper income groups reside, though it would be helpful to also engage them in a larger alliance.

Social mobilization has a comprehensive and all-embracing connotation and suggests that, by the use of the word; “social”, the process applies to the totality of a given community’s existence. This indeed normally is, and should be the goal of social mobilization i.e. to have a pervasive and far-reaching dimension.

However, there are instances where the crucial early and formative phases of social mobilization have taken place through limited and selective “entry points” such as through the provision of only one or two services which are desperately needed by the poor for sheer survival alone. Such early interventions can be of an urgent, “life saving” nature, where the poor are faced by famine or drought or epidemics. Those promoting social mobilization in such an area, either from within the poor or from external groups, bring emergency relief and, in the process create a relationship of rapport and trust with the community.

Nevertheless, in its basic sense, social mobilization demands a “holistic” approach rather than a sectoral approach which deals only with parts of the problem as opposed to going to the core of the issue which alone would tap the potential of any group.

The poor investigate their own reality by living it from day to night every single day of their lives. But it is only when they create a separate, and in a sense, a detached and eternal entity which perfectly mirrors their conditions and which would be a truly participatory organization of the poor. It is only then that the poor acquire, and are able to use a “scientific” approach towards changing their conditions.

In forming an organization it may be unavoidable for the poor to be initially dependent on, or to be led by money and inputs delivered from an external source. This is not an ideal condition but, in the kind of deprived environment in which they live it may be unavoidable.

The crucial phase comes when, by using Participatory Rural Appraisal or any other similar process, the poor become more conscious of their condition and their resources. The organization of the poor is able to make the transition from exclusive dependence on an external source for inputs and money towards a partial dependence only, while commencing to generate its own resources.

It is like helping a person who has been lying flat on the ground for too long and whose blood circulation and muscle tone are not used to standing up and walking. In such a condition, being helped to stand up and to take the first few steps is an absolute necessity to initiate movement. Once the blood begins to flow and the muscles begin to support action, then the body is able to walk without support.

The crucial test is for the process of collective investigation of reality to remain consistent and strong as the spiral moves through mobilization, conscientisation and organization.

Despite efforts to empower the poor there is an inherent tendency for the poorest of the poor to get “left out” or be bypassed because they lack even the most basic attributes that are necessary for any external stimuli or input to be effectively applied.

To attempt an analogy to explain this phenomenon: the poorest of the poor can often be like a blank flat wall. When an organizational initiative seeks to take place, there is no nail or hook embodied in the wall or an indentation of any kind on the basis of which any new element can be made to inter-act with the wall. With neither literacy, nor health, nor much hope for change, the poorest of the poor may often be steeped in apathy so deep that it becomes difficult to mobilize them in any sustained manner.

Similarly, so very much at the bottom are the poorest of the poor that to expect them to be, or to become self-reliant in what is known as a “reasonable” period of time becomes unrealistic. Perhaps the only consolation is that, just as in the “trickle down” effect by which prosperity is supposed to go from the rich to the poor, it may be possible for some alleviation of poverty to go from the poor down to the poorest.

Thus, in a curious way, it may be better to begin by working with the poor and strengthening the organization of the poor before reaching down — or up! — to the very poorest. We can only reach the peak of Mount-Everest if the camp at the highest level of the mountain is firmly secure. In recent years, the support system has begun to be sensitized and re-oriented.

This is inevitably a slow and difficult process of change because the support system is operated by bureaucracies or officially supported systems that have a pre-cast approach to the poor.

Whether this is expressed through the “bricks and mortar” approach of the support system that prefers to construct buildings and place the rudiments of a health delivery system inside the building and wait for the poor to walk towards the building and get “health”, or whether it is the traditional educational system that imposes curriculum and text books containing messages and text that have little to do with the reality in which they live, the support system is a large, multi-faceted structure controlled by forces at a great distance from the poor.

Nevertheless, due to a variety of factors including advocacy by NGOs in the media, the general and visible increase in disparities and in poverty, the work for relief done by NGOs the support system has begun to become more sensitive to the reality of the poor as is evident in the willingness to consider and implement new programmes for out-reach services, microcredit and mobile health-care.

## LESSON 20

**“THE INFORMATION SECTOR OF PAKISTAN”**

Text of handout for students

**Note:** From a perusal of the verbal content of this lecture and the PPTs, students will have to obtain a reasonable portrait of the overall composition and vital features of the information sector of Pakistan. The purpose of providing this particular handout to students is to help them appreciate the importance of Government perceptions, policies and practices including the choice of terminologies, words and phrases in relation to the information sector. Perhaps more than other sectors, words used in the information sector become especially significant in conveying intentions and agendas.

The handout reproduces a short essay written by the lecturer and published in a leading newspaper of Pakistan (Daily Times, Lahore, 12 June 2003) in which the readers' attention has been focused on the inadvisability of changing the name of the Information Ministry by reverting it to its original name. More than at any time in the past 58 years, the information sector of Pakistan requires that the policy-making institution of the Government of Pakistan, i.e. the Information Ministry, should be named in such a way that it becomes reflective of the rapid changes taking place in media technology and, most importantly, that it emphasizes the need to develop media in a progressive direction and enable the maximum number of people to have access to media.

**What's in a Name? Plenty!**

By Javed Jabbar

Through a notification of the Government of Pakistan in the last week of May 2003, the name of the Ministry of Information and Media Development has been changed, or rather, reverted to its previous name of: “Ministry of Information and Broadcasting.”

Underneath the ostensibly innocuous nature of the change, there are several areas of concern.

The Information Ministry is greater than the sum of its parts. In a country where governments are subject to frequent change, and at unscheduled times, the Ministry provides an abiding communications infrastructure and capacity which functions in a predictable, pedestrian but reliable manner, a quality specially valuable for an in-coming government!

Even as the entire structure of the Ministry now requires radical re-construction and de-construction to reduce the scope for authoritarian misuse, its constituent units render vital services in co-ordinating support provided to the Federal and Provincial governments in virtually all sectors of the mass media. These include: relations with the independent Press through wings such as, Internal Publicity and the Press Information Department which continues to exercise an out-moded control --- prone to misuse --- over the placement of government-related advertising in the independent Press; External Publicity for the country; the Audit Bureau of Circulation, which certifies the claimed sale of print media, the Department of Films & Publications, the State-owned electronic media; including direct supervision by the Ministry of PTV and PBC, and Shalimar Recording Company Limited and some other sections.

The very fact that the Ministry continues to operate as the official spokesman of the Federal Government makes it necessary for us to reflect briefly on the inadvisability of re-enforcing a relatively primitive dimension of this entity by re-introducing the term “broadcasting”. At the very time in 2003 when the name, the approach and the operations of the Ministry need to be recast to meet the challenges of a fierce and formidable era of free and independent media, a change has been made that is opposite to what is required.

When this writer served for the first time in the Federal Cabinet between December 1988 and August 1990 and, in this period, for the first 10 months as Minister of State for Information and Broadcasting, a tentative proposal by me to change the name of the Ministry to “Ministry of the Media” proved to be abortive.

So one concentrated, instead, on improving policies and rules to remove obstacles in the way of a free and open media environment. Ironically, even when a Ministry retains its original and inappropriate name, a break can be made with the past. But while words can be ignored, they can also imprison. Some of the reforms of 1988-89 survived successive Governments. Some did not. For example, for unexplained reasons, the

corruptive newsprint import permit system abolished in 1989 was revived during the first Nawaz Sharif Government of 1990-93 and was then abolished once again when this writer served for about one year in General Pervez Musharraf's Cabinet in 1999-2000 as Adviser on National Affairs and Information Minister.

In November, 1996 when President Farooq Lehari dismissed the second Benazir Bhutto Government and appointed Malik Mairaj Khalid as Caretaker Prime Minister, the Information Ministry was allotted to the eminent journalist Mr. Irshad Haqqaani and this writer was appointed as Minister for Petroleum and Natural Resources. In the same cabinet, the honorable editor of the Daily Times was Adviser to the Prime Minister on Accountability.

At the very first meeting of the Caretaker Cabinet, after taking the decision to abolish the term "VIP" from official parlance, and converting airport VIP lounges into executive lounges which were available to all citizens willing to pay a small usage fee, the Cabinet considered a proposal by his writer to change the title of the Information Ministry altogether to: "Ministry of the Media", or "Ministry for Media Development".

The rationale presented in support of this name-change was that, in view of the commitment of the Caretaker Government towards a free and open environment in the country and towards the reduction, or complete eventual elimination, of controls over arbitrary information flow, the focus of Governmental attention should shift from interfering in the information flow towards increasing the level of access by the people to mass media.

By the indicators of low literacy, the low number of electronic media units such as radio stations and TV channels and the generally low purchasing power of the people, the prime responsibility of the Government becomes that of facilitating convenient access by the people to media at low cost. Thus, there was abundant justification to change the original name in its entirety. I also cited the examples of Australia and the UK wherein there exist Ministry – level "Departments of the Media".

Without making the proposal for a name change of his own Ministry a contentious issue, Mr. Irshad Haqqani kindly supported the proposal in principle but suggested that we could combine the old and the new names by dropping the word "Broadcasting" and accepting the term "Media Development" while retaining the general word "Information". The Cabinet agreed, and the name change was immediately put in place. Innovative laws for electronic media and freedom of information were introduced --- but were deliberately allowed to lapse by the second Nawaz Sharif Government only to be eventually revived by the Musharraf government in 1999-2002.

The global media environment and the regional media sector have witnessed significant change in the past few years with the proliferation of new media. Notwithstanding the new excessive commercialism of media, the world has clearly moved towards a reduced interventionist role for the Government in operating or controlling media – as also a role in "broadcasting".

There is certainly a role for Government to ensure a public service dimension in all media without itself becoming a "broadcasting" unit. During the period 1999-2003, a fundamental new element has come to shape the media environment of Pakistan. This strongly invalidates any possible argument in favour of bringing back the term "broadcasting" to the full name of the Information Ministry. This basic change is the fact that several new satellite TV channels telecasting content originating from Pakistan are being beamed out of overseas locations such as Dubai, Singapore and London but are entirely Pakistani in their identity: e.g. Indus, ARY, Geo, KTN, Uni Plus. Their wide and popular viewership by millions, often at the expense of Government-controlled PTV reinforces the argument for distancing the Information Ministry from the function of "broadcasting". This function, in any case, is an operational action that is not meant to be within the responsibility of a Ministry whose principal duty is to formulate policy and oversee its application. Moreover, "broadcasting" refers more to "radio" than to "television".

Now that the Pakistan Electronic Media Regulatory Authority known as "PEMRA" is fully operative and has already issued licenses for new private radio stations, the regulation of private broadcasting becomes the primary responsibility of an Authority whose law requires it to be autonomous, and whose majority of members are non-officials.

Therefore, the reversal to the old name of the Information Ministry is a regressive step that is out-of-synch with the pulse of the age. As words and names do exercise a formative and direction-setting influence on perceptions and actions, there is a need to shift the entire emphasis of engagement by Government in the information sector towards reducing the media poverty of our country. This can only be done by promoting the quantitative and qualitative development of media rather than reverting to the comparatively narrow and restricted term of “broadcasting” which does not cover the new media such as the Internet or other new technologies which are making possible “narrow-casting” in unprecedented and exciting new ways.

Cellular wireless units that combine telephony, the Internet, photography and messaging into a single, hand-held device and will come to displace the previous, monolithic, “one-way only” broadcasting functions with new, remarkable scope for inter-active communications represent many of the reasons why the Government of Pakistan should now function only with a “Ministry of Media Development” rather than an entity with the redundant title of the “Ministry of Information and Broadcasting.”

**LESSON 21****MEDIA AS ELEMENTS OF NATIONAL POWER**

Text of two handouts for students

Note: While the title of the lecture focuses on the role of media as elements of national power, it is relevant for students to review aspects of national security in the conventional sense of the term as well as the unconventional sense. Thus, in this handout, it will be found that emphasis is given to even “invisible” frontiers and boundaries because such elements have a powerful and motivating impact on the capacity and ability of a people to defend themselves against external threats as well as to be able to cope with internal threats. The text of the handout was originally prepared in 1998 but, except for a nominal topicality of a few aspects, the principal observations remain, in the opinion of the lecturer, valid and relevant for students in 2005 and for several years to come.

This handout reproduces a chapter from the book titled: “Storms and rainbows” by Javed Jabbar published by Summit Media and Royal Book Company, 2001, e-mail: royalbook@hotmail.com.

**The invisible frontiers of national security**

While I propose to deal with the invisible frontiers of national security, let us first identify the visible frontiers. First and foremost are the people of our country, wherever they may live and work. It is the desire of our people, their will and their determination to be Pakistanis and to remain part of our country that makes them the most obvious, and the most powerful visible frontier. Other visible frontiers comprise a range of indicators such as those listed below.

Boundary lines that demarcate the country’s territory on maps reflecting the general acceptance by the world of these lines as the political, sovereign frontiers of a State. Border posts, including airports, sea ports, railway stations and road check-points that mark entry and exit points of territory.

Military defence capacity, as expressed through the Armed Forces on land, sea and in the air to enforce the visible lines of security.

Economic infrastructure and the productive capacity of a country: our industry, agriculture, services, transportation, telecommunications and other sub-sectors. Geographical features that help define a country’s territory and give some States extra-ordinary dimensions of security. For example, the world’s largest island, Australia has a degree of permanent natural protection due to the water by which it is surrounded and by its own huge size. In the age of missiles and sophisticated aerial warfare, such geographical features have also become vulnerable but geographic identity remains a tangible, visible frontier.

General stability, as in the absence of an organized, sustained, armed internal rebellion against the State, there may be insurgencies as sustained as the Naxalites over three to four decades in parts of India such as in Bihar and in Andhra Pradesh but the movement remains confined and is not wide-spread throughout India. There certainly are several other internal rebellions in India but, taken together, they have not yet reached critical mass.

Fortunately for us in Pakistan, while illegal arms and weapons have proliferated widely and while certain groups indulge in systematic violence, we continue to possess an overall and general stability. In an age of electronic technology and new military instruments for dominance and control, the conventional notions of national sovereignty and the conventional concept of visible frontiers of national security are unreliable indicators.

While possessing almost all the visible frontiers, a State may not have national security. Perhaps the classical example is what happened to the Soviet Union in 1991. Reference to conventional assumptions about visible frontiers and national security brings to my mind the image of a State that is like the ship Titanic which, in this case, hits the iceberg of its own phantoms and its false sense of security, only to disintegrate and sink. The “nomenclatura” dimension of the Soviet Union by which the ruling elite enjoyed special privileges but at the same time insulated itself from reality is a lesson to be always remembered.

In contrast, we have the unique wisdom of China which abandoned the inefficiency of economic communism but retained the strong centralized authority of political communism in order to ensure the stability and coherence of the Chinese State. Whereas Mikhail Gorbachev attempted to simultaneously abandon both economic and political communism as a result of which the Soviet State disintegrated.

While retaining political communism and its State security, China has proceeded to deregulate in the economic sphere to achieve the world's highest growth rate and to deepen its economic security.

In the case of Pakistan, we have a strong military sector and yet very weak law and order, representing a remarkable juxta-position of contrasting conditions. There is a serious threat to our external national security from India and serious threats also to our internal security due to our own failures and fears.

Our conventional military forces and technology are being out-paced by a hostile neighbour which is investing heavily in aggressive weapons. Our physical infra-structure, a facet of national security, is functioning. Planes take off and land, the trains run (despite bombs and bloodshed), the road traffic flows.

But our spiritual infra-structure has serious malfunctions. It is often jammed: it is also crumbling, like many of our roads and urban sewerage systems. When we turn to identifying the invisible frontiers of national security, we can demarcate three such frontiers that manifest themselves with visible features.

The first of these invisible frontiers are the spiritual frontiers, predominantly inspired by, and based upon, our religious faith in Islam. Yet, for an aspect that is common to the overwhelming majority of our people, it appears that our spiritual frontiers have been taken over by a small minority of people.

We have four broad categories of adherents to Islam in Pakistan. We have the small minority of extremists, comprising fanatics who will not tolerate any alternate viewpoint. Most of these are also very sectarian-minded and prone to violence in direct contradiction to the edicts of Islam which enjoin tolerance and peace in the matter of religious faith and observance.

There is the second category which could be called the orthodox segment of our society, people who are conservative without being extremist or violent. There is then the third stream that can be described as the moderate majority, representing most of our people, best personified by the urban middle class but also by the majority of rural households that may seem to be orthodox and conservative by tradition, but who, in practice, are balanced and open-minded.

Lastly, there is the segment of our society that should be called unchangingly Muslim in their beliefs and yet at the same time, inconsistent and irregular, or self contradictory in their actual practice of the injunctions of our faith. Even while one arbitrarily divides fellow Muslims into these four broad streams, one remains conscious that in some respects there are over-laps and commonalities. There is a criss-cross nature to the spiritual frontiers which is an inevitable consequence of our being a State derived from the fact that most of our people share the same religious identity. The other such State, Israel, also contains sharply varying interpretations of Judaism so we need not feel unduly alarmed at our condition!

It is notable that, despite certain deep schisms we have a strong sense of being Pakistani; we do not want to lose this "Pakistaniat" even though we may disagree on critical issues. Regrettably, for a country with such a strong Muslim frontier of national security, some of us tend to regard non-Muslim Pakistanis, specially those of the Hindu faith, as being less Pakistani than others. This kind of suspicion or disregardful attitude is contrary to the spirit of Islam and to the principles advocated by the Quaid-e-Azam.

Though we are an overwhelmingly Muslim nation, we do not, as a State, practice the true values of Islam. For example, less than 1 per cent of national income is distributed formally and officially to the poor and the dispossessed whereas some non-Muslim countries like Sweden spend about 37% of their national income on social welfare.

The second set of invisible frontiers could be described as psychological frontiers or psycho-social frontiers. We notice the curious contrast between the strong sense of Pakistaniat, to which I have referred earlier, with the weak sense of duty to the State and of taking pride in the State.

We have secured some substantive achievements in 50 years and are proud to be Pakistanis. Yet we have an incessant tendency to invalidate ourselves and to revel in gloom. Some of this moroseness is justified because of our illiteracy, weak law enforcement, delayed justice, inefficiency and corruption. But our low self-esteem becomes particularly painful when the green Pakistani passport is viewed with suspicion at overseas airports because we find other people also viewing us with the same lens that we do.

The tendency to migrate, to leave behind the despair in our own lands in order to gain fulfilment in other lands, also reflects growing disparities between the rich and the poor. So we Pakistanis help to rejuvenate Canada even as we weaken Pakistan! There should be a migration tax imposed on recipient countries particularly the countries of North America and Europe because the highly skilled or well-educated professionals who migrate there do not even remit the major part of their income to Pakistan, unlike the lower income, temporary migrant workers who go to the Gulf and the Middle-Eastern countries.

There is a serious haemorrhage of human resources that is presently taking place, sapping and draining us, eroding a vital frontier of our security. The third set of invisible frontiers is our communication frontiers. On the one hand, these have developed fairly actively and widely within our own country. In spite of the fact that only about three million households out of about twenty million households in the country have access to telephone lines or to a close-by fax service, there has been a rapid expansion of access to telecommunication in recent years.

However, in a comprehensive context, we have media scarcity and media poverty, best evident in our low literacy. In another dimension, even within our own territory, and even in the mass medium of radio that has the highest level of coverage, it is regrettable that in the border areas of our country, the radio and propaganda signals from India are far more powerful and clear than the broadcasts from Radio Pakistan.

Some countries such as an economic super-power like Japan can afford to have weak external communication frontiers and yet remain economic Titans. But we cannot afford to do so. Overseas media have a strong presence inside Pakistan, and not just in our border areas. For example, video-tapes of Indian movies as well as a proliferation of Indian satellite TV channels, film songs and audio-tapes, photographs of Indian film stars on posters and in newspapers, as well as non-Indian radio and TV channels such as BBC, CNN and others are widely viewed.

It is ironic that there is very little media in-put into Pakistan from those very countries with whom we have strong religious affinity, countries such as Iran, Turkey, the Gulf and the Middle-East. We have more media in-put from our most hostile neighbour as well as from countries and regions far away from us such as the USA and Europe, than we do from countries that are fellow Muslim brethren!

Out of, let us say, 1000 kilometres of our communication frontiers, only about 200 kilometres are strong and stable whereas 800 kilometres are weak and are breached daily. When we consider the way forward to the future, we should attach the highest priority to reducing disharmony and discordance between the visible and in the invisible frontiers of national security. We need to learn how to be truly Muslim by ending our habit of trying to convert the 95 per cent of our population who are already Muslim into being Muslims all over again. This excessive zeal to be holier than thou is totally misplaced and irrelevant.

I am confident that, contrary to the grim predictions of some analysts in Pakistan and in Washington D.C., the Balkanization of Pakistan will not happen. Let us recognize that the uncertainty factor is deliberately promoted by those hostile to Pakistan and it is inadvertently given credence by those Pakistanis who allow the pains of our evolution to be mistaken as the death-knell of our existence.

We need to study in-depth the remarkable tenacity of nations such as Eritrea rather than only concentrate on the disintegration of the Soviet Union and the Czech Republic. Education must be our guiding force for cementing our invisible frontiers. To bring about a fundamental re-orientation we need political commandoes, individuals with extraordinary grit and integrity to secure our political frontiers. We also need to right size and re-structure our Armed forces in consonance with new technology and our economic priorities without reducing our capacity to deter external threats.

But the emergence of new technology needs to be seen with caution and realism because the more sophisticated the new technologies, the more expensive they become! We cannot afford indulgence in high-



cost gadgetries because of our burden of debt and debt servicing. One critical factor in deepening our national security will be to make service in the Armed Forces compulsory for two years for all males aged between 18 years to 40 years, while using flexible age segments for females in view of their special needs as mothers and home-makers.

In the media sector, we need to strengthen our defences by opening up the air waves of the country to allow a million voices to speak, rather than let only the existing State monopolies to continue.

Most importantly, we must empower our women because it is only with their full-fledged participation as citizens able to exercise all their human and legal rights that we can over-come the negative gender ratio and injustice that exists in Pakistan.

**Note:** As the context of this lecture has a direct relationship with aspects of national security, in addition to referring to the verbal content of the lecture and the PPTs, students are invited to review the text given below titled: “Directions of national security” which represents a chapter from the book: “Storms and Rainbows” by Javed Jabbar published by Summit Media and Royal Book Company, BG-5, Rex Centre, Zebunnissa Street, Karachi 74400, Tel: 5684244, 5653418, e-mail: [royalbook@hotmail.com](mailto:royalbook@hotmail.com).

### Directions of National Security

Over the years since the Pakistan-India war of September 1965 (September, 1998), the security dimension for Pakistan has been marked by a mixture of stagnation, erosion and renewal. On the edge of a new millennium, the multi-layered and inter-woven nature of the perspectives for our national security are further reinforced by the acquisition of a formal nuclear power status in May 1998 accompanied by an unprecedented economic crisis and an assault upon the Federative principle that binds the 4 provinces together.

The stagnation of our security situation is directly related to the continuing state of hostility with India shaped pre-dominantly, but not exclusively, by the unresolved aspect of the Kashmir issue. Through all the vicissitudes of events in both countries and in Kashmir and through all the sweeping changes in the international arena, the problem of Kashmir has continued to simmer and crackle. It has shaped our perception of the major threat to our country and has consequently determined our investment in the Armed Forces. Thus, in the era in which the Berlin Wall was dismantled and communism in general and western communism in particular collapsed, bringing large-scale geo-political change across an entire continent, Kashmir in that very year, 1989, re-erupted as if to remind the world that in this issue there exists a depth and complexity that goes even beyond the stark division between single-party communist ideology and the multi-party free market philosophy.

A second aspect of the stagnant nature of our security situation in respect of India is that, even apart from Kashmir, assuming for a moment that the issue is resolved and is no longer the source of tension, Pakistan cannot afford to lower its guard as long as India relentlessly pursues an expansion of its armed forces entirely at variance with its claims to peace and non-violence. As the only country in South Asia that has continuously enlarged its own territory since independence in 1947 (Junagadh, Manawadh, Sikkim, Hyderabad Deccan, Kashmir and Goa) the Indian pursuit of a hegemonistic role may be a self-deluding and grandiose ambition but it is an extrapolation of its track record of the past 50 years. Thus, in the foreseeable future, stagnation, in as much of a positive sense that stagnation can be seen, will remain a feature of our national security situation.

With the disastrous political and military decisions taken in 1971 there occurred the most serious erosion of our national security. The loss of East Pakistan was a profound tragedy for the very concept of Pakistan, shaking to the very foundation the spiritual and psychological well-springs of national origin and national identity. Of almost equal magnitude was the geo-strategic change at our expense, in South Asia. The scale and consequences of that loss have obscured and distorted the reality of the circumstances in which the set-back occurred. Whereas Pakistan’s military forces on the land, on the sea and in the air were never deployed at optimal levels to defend East Pakistan, the loss was seen as a defeat inflicted upon almost equal adversaries. In actual fact, of the 90,000 people taken as prisoners-of-war by the Indian forces, less than 50,000 personnel belonged to the armed forces. The forces were asked to fight in some of the most unfavourable conditions, about 1,000 land miles away from their supply ports, separated by a much larger hostile neighbour and eventually encircled by its forces, with an alienated civil population as a finishing touch to this doomed

scenario. The Indian “victory” in East Pakistan in December 1971 was more a lopsided push-over, a win by default and nowhere close to a result of a conflict in which both adversaries used all the resources at their command.

Be that as it may, the drastic erosion that occurred in December 1971 was gradually compensated for by three measures. First: an attempt to see the post-1971 form of Pakistan as a more rational and viable nation-state that sustained the wisdom and truth of the two-nation theory on a more pragmatic geo-political basis than the original version itself. Second: the adoption of the Simla Pact in 1972 between the two adversaries which enabled the release of 90,000 prisoners-of-war, the return of Indian-occupied territory in the western wing and deliberately or inadvertently, put the Kashmir issue on the back-burner for some years. Third: the commencement in 1974 of the attempt to develop nuclear weapon capacity and its eventual completion about a decade later giving the country a new sense of security, veiled under ambiguity.

However, the persistence of Indian military expansion and its superiority in conventional forces means that erosion, like stagnation, is an almost permanent condition. It would be neither wise nor practical for Pakistan to pursue parity and equivalence with India in arms capacity. The most appropriate and effective option for us is to strengthen our deterrence capacity both on the nuclear weapon level and in conventional forces. When and if both nations sign the Comprehensive Test Ban Treaty and the Non-Proliferation Treaty, the nuclear weapon dimension will also change the balance between the two nations to a new level of mutual tolerance. Pending that occurrence we shall have to deal with the phenomenon that can best be described as “abiding erosion.” The only fitting and effective response to the perception of abiding erosion will be for Pakistan to build a new internal cohesion, a fortress of the spirit and the mind that no armour can penetrate. This will require an extraordinary vision in political leadership coupled with the organizational capability to implement the vision.

In contrast to the grim history of stagnation and erosion of national security since 1965, the decision to become a formal nuclear weapon power in May 1998, regardless of whether it was a judicious action in terms of the economic fall-out and international sanctions, was a decisive step forward in renewing and strengthening the security situation of Pakistan. Though India retains a distinct edge in conventional forces and in all other resources, the demonstration of nuclear weapon capacity has a symbolic significance in two respects. In unambiguous and categorical terms, Pakistan has asserted the only power which the psyche of the Indian hegemonistic mind-set understands and respects. Secondly, the nuclear tests embodied the principle that a relatively smaller state can deter a much larger adversary from hostile actions by any one, or all, elements such as: support from a rich and powerful friend vis-à-vis the U.S.A. and Israel; Eritrea’s successful struggle against Ethiopia and its eventual independence; the cultivation of a militaristic posture at the expense of all domestic economic and social considerations as in the case of North Korea. Pakistan does not exclusively belong in any one of these three categories. But the renewal and the strengthening of the security situation in May 1998 derives a little from each of the above three categories, even though we remain far removed from the benefits that Israel enjoys and we have little of the remarkable character shown in Eritrea, nor to be fair to ourselves, have we been as insulated and paranoiac as North Korea.

To the credit of the Armed Forces of Pakistan, particularly in the ten years between 1988 and 1998, our vigilance and combat readiness have received undivided professional attention undistracted by direct involvement in political management as occurred during the tenure of General Zia-ul-Haq. While the Army leadership’s close proximity to political affairs continues due to the weaknesses of insecure civilian political leadership, the present Chief of Army Staff, General Jehangir Karamat who is also the Chairman of the Joint Chiefs of Staff Committee has, in particular, set a notable example of focusing exclusively on the security responsibilities of the Armed Forces. In spite of being asked to be present during some of the discussions that occurred in the confrontation between the Nawaz Sharif Government and the Supreme Court in August-November 1997 leading to the eventual resignation or removal of President Leghari from the Presidency, the present Chief of Army Staff has maintained a remarkably non-partisan and entirely professional posture in contrast to some of his predecessors.

Quite separately from the factor of nuclear weapon deterrence, the strength and courage of our Armed Forces, notwithstanding the inequality with India, are potent disincentives for our neighbour. India knows that it will have to pay too heavy a price even in conventional terms if it attempts an all-out conflict against Pakistan.

Yet the renewal of the security situation post-May 1998 has become a curious mixture of effective external deterrence and at the same time an ineffective internal factor. Grave misjudgements in economic policy accompanied by a failure to improve governance, rounded off by a callous insensitivity to the sentiments and views of the three smaller provinces have created an entirely new condition of internal turmoil and uncertainty that offsets and dilutes the aims achieved in May 1998.

In the context of domestic social, economic and political realities, in the light of the need to redress fundamental inequities and injustices that abide in our system and in the face of new technologies that are shaping and changing perspectives of military capability, we need to initiate a vigorous debate on how we should construct the framework of national security in the new century.

## LESSON 22

## ONE GLOBE: MANY WORLDS

Text of the handout for students

**Note:** This is the first lecture in the course that outlines the concept of a single, shared global framework for humanity which is at the same time split into different levels and categories of development. In one sense, this lecture is an introduction to the concept of globalization which is a historic process that has entered a new phase in the 20<sup>th</sup> and 21<sup>st</sup> centuries.

There is abundant criticism and fear of globalization, some of it justified, and a lot of it not so. To enable students to note and review some very credible perspectives which place globalization on a realistic and balanced plane, the text of this handout is excerpted from the first chapter of a book titled: “Open World:/ The truth about globalization” by Phillippe Legrain, published by Abacus in Great Britain in 2003.

Students are advised to, if they so wish, explore information on the book and the author by using the Google search engine on the Internet. One indication of the high praise with which this book was received is a comment made by Martin Wolf in the Financial Times, London who said, “We have waited a long time. But at last a good book on globalization has appeared.....This is a wonderfully lucid and intelligent book. Phillippe Legrain takes on the many mistakes of the anti-globalizer.”

The author of the book is Chief Economist of Britain in Europe. He was previously Special Adviser to the Director-General of the World Trade Organization.

**LESSON 23****“THE UNITED NATIONS” PART-1**

Note: Students will observe that the diverse aspects of the United Nations, specially the facts and features related to its vast, complex and far-ranging structure have been fairly comprehensively outlined in the two presentations.

To obtain further information about the UN, students can conveniently access the latest reports and developments from the website: [www.un.org](http://www.un.org). Particular attention should be paid to the proposals presented by the UN Secretary-General in 2005 identifying different options for re-structuring the UN Security Council.

To benefit from a more historical perspective of the UN than a purely contemporary perspective, students are provided with this handout.

The text of this handout is an excerpt from chapter # 1 of the book titled: “United Nations, Divided World: The UN’s Roles in International Relations”, edited by Adam Roberts and Benedict Kingsbury, published by Clarendon Press, Oxford, UK, 1990.

**LESSON 24****“THE UNITED NATIONS” PART-2**

Note: Students will observe that the diverse aspects of the United Nations, specially the facts and features related to its vast, complex and far-ranging structure have been fairly comprehensively outlined in the two presentations.

To obtain further information about the UN, students can conveniently access the latest reports and developments from the website: [www.un.org](http://www.un.org).

Particular attention should be paid to the proposals presented by the UN Secretary-General in 2005 identifying different options for re-structuring the UN Security Council.

To benefit from a more historical perspective of the UN than a purely contemporary perspective, students are provided with this handout.

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**LESSON 25****“MILLENNIUM DEVELOPMENT GOALS (MDGS)”**

Text of **handout** for students

Note: In this Lecture, the attention of students has been focused on the identification of 8 Millennium Development Goals and 18 corresponding targets that have been set in order to achieve the 8 Goals.

Coming after a series of summit conferences of Heads of State and Government held during the 1990s, the Millennium summit at the UN in September 2000 became the first time in history that a very large majority of leaders of countries represented in the UN agreed upon 8 specific goals for the tangible, measurable improvement of disadvantaged people.

The Human Development Report of 2003 published each year since 1990 by the United Nations Development Programme devoted its entire contents to the subject: “Millennium Development Goal: A compact among nations to end human poverty”.

Student may refer to the website: <http://hdr.undp.org> for further details about the contents of this report, and of previous, and of later reports.

This handout is the first part of the first section of the HDR 2003 Report. It provides a relevant contextual background to the priorities and issues that are pertinent to any consideration of this subject.

**Excerpt:**

The new century opened with an unprecedented declaration of solidarity and determination to rid the world of poverty. In 2000 the UN Millennium Declaration, adopted at the largest-ever gathering of heads of state, committed countries — rich and poor — to doing all they can to eradicate poverty, promote human dignity and equality and achieve peace, democracy and environmental sustainability. World leaders promised to work together to meet concrete targets for advancing development and reducing poverty by 2015, or earlier.

Emanating from the Millennium Declaration, the Millennium Development Goals bind countries to do more in the attack on inadequate incomes, widespread hunger, gender inequality, environmental deterioration and lack of education, health care and clean water. They also include actions to reduce debt and increase aid, trade and technology transfer to poor countries. The March 2002 Monterrey Consensus — reaffirmed in the September 2002 Johannesburg Declaration on Sustainable Development and the Johannesburg Plan of Implementation — provides a framework for this partnership between rich and poor countries.

It is hard to think of a more propitious time to mobilize support for such a global partnership. In 2003 the world has seen even more violent conflict, accompanied by heightened international tension and fear of terrorism. Some might argue that the war on poverty must take a backseat until the war on terrorism has been won. But they would be wrong. The need to eradicate poverty does not compete with the need to make the world more secure. On the contrary, eradicating poverty should contribute to a safer world — the vision of the Millennium Declaration.

Addressing poverty requires understanding its causes. The Human Development Report 2003 adds to that understanding by analyzing the root causes of failed development. During the 1990s debates about development focused on three sets of issues. The first was the need for economic reforms to establish macroeconomic stability. The second was the need for strong institutions and governance — to enforce the rule of law and control corruption. The third was the need for social justice and involving people in decisions that affect them and their communities and countries — an issue that this Report continues to champion.

These issues are all crucial for sustainable human development, and they continue to deserve priority attention in policy-making. But they overlook a fourth factor, explored here: the structural constraints that impede economic growth and human development. The Millennium Development Compact presented in this Report proposes a policy approach to achieving the Millennium Development Goals that starts by addressing these constraints.

The Goals will succeed only if they mean something to the billions of individuals for whom they are intended. The Goals must become a national reality, embraced by their main stakeholders — people and governments. They are a set of benchmarks for assessing progress — and for enabling poor people to hold political leaders accountable. They help people fight for the kinds of policies and actions that will create decent jobs, improve access to schools and root out corruption. They are also commitments by national leaders, who must be held accountable for their fulfillment by their electorates.

When adopted by communities, the Goals can spur democratic debates about government performance, especially when impartial data are made available — posted on the door of every village hall. They can also become campaign platforms for politicians, as with Brazilian President Luis Inacio “Lula” da Silva’s Fome Zero (Zero Hunger) campaign to eliminate hunger, part of the manifesto for his (successful) presidential bid.

Civil society groups — from community organizations to professional associations to women’s groups to networks of non-governmental organizations (NGOs) — have an important role in helping to implement and monitor progress towards the Goals. But the Goals also require capable, effective states able to deliver on their development commitments. And they require popular mobilization to sustain the political will for achieving them. This popular mobilization requires open, participatory political cultures.

Political reforms, such as decentralizing budgets and responsibilities for the delivery of basic services, put decision-making closer to the people and reinforce popular pressure for implementing the Goals. Where decentralization has worked — as in parts of Brazil, Jordan, Mozambique and the Indian states of Kerala, Madhya Pradesh and West Bengal — it has brought significant improvements. It can lead to government services that respond faster to people’s needs, expose corruption and reduce absenteeism.

But decentralization is difficult. To succeed, it requires a capable central authority, committed and financially empowered local authorities and engaged citizens in a well-organized civil society. In Mozambique, committed local authorities with financing authority increased vaccination coverage and prenatal consultation by 80%, overcoming capacity constraints by contracting NGOs and private providers at the municipal level.

Recent experiences have also shown how social movements can lead to more participatory decision-making, as in the public monitoring of local budgets. In Porto Alegre, Brazil, public monitoring of local budgets has brought huge improvements in services. In 1989 just under half of city residents had access to safe water. Seven years later, nearly all did. Primary school enrolments also double during that time, and public transportation expanded to outlying areas.

Such collective action improves basic services and helps spur and sustain political will. Ordinary citizens have pressured their leaders to deliver on their political commitments. And the Goals provide citizens with a tool to hold their governments accountable.

The past 30 years saw dramatic improvements in the developing world. Life expectancy increased by eight years. Illiteracy was cut nearly in half, to 25%. And in East Asia the number of people surviving on less than \$1 a day was almost halved just in the 1990s.

Still, human development is proceeding too slowly. For many countries the 1990s were a decade of despair. Some 54 countries are poorer now than in 1990. In 21 a larger proportion of people is going hungry. In 14, more children are dying before age five. In 12, primary school enrolments are shrinking. In 34, life expectancy has fallen. Such reversals in survival were previously rare.

A further sign of development crises is the decline in 21 countries in the human development index (HDI, a summary measure of three dimensions of human development — living a long and health life, being educated and having a decent standard of living). This too was rare until the late 1980s, because the capabilities captured by the HDI are not easily lost.

If global progress continues at the same pace as in the 1990s, only the Millennium Development Goals of halving income poverty and halving the proportion of people without access to safe water stand a realistic chance of being met, thanks mainly to China and India. Regionally, at the current pace, Sub-Saharan Africa



would not reach the Goals for poverty until 2147 and for child mortality, until 2165. And for HIV/AIDS and hunger, trends in the region are heading up — not down.

That so many countries around the world will fall far short of the Millennium Development Goals in the 12 years to 2015 points to an urgent need to change course. But past development successes show what is possible even in very poor countries. Sri Lanka managed to increase life expectancy by 12 years between 1945 and 1953. Botswana provides another inspiring example: gross enrolments in primary school jumped from 40% in 1960 to almost 91% in 1980.

Today's world has greater resources and know-how than ever before to tackle the challenges of infectious disease, low productivity, lack of basic services such as clean water, sanitation, schools and health care. The issue is how best to apply these resources and know-how to benefit the poorest people.

**LESSON 26****“THE GLOBALIZATION: THREATS AND RESPONSES – PART-1”**

Text of **handout** for students

**Note:** In the Lectures 26, 27 on the global environment, both the threats and the possible responses to the threats have been identified and briefly explained.

Specific data has been cited to show how each of the principal ecosystems of our planet are being rapidly and adversely affected by excessive exploitation of natural resources.

The consequential dangers to human survival and to the survival of many species are already beginning to become apparent through the loss of biodiversity, climate change, pollution, the spread of new diseases and viruses and other perils.

Tangible and practical sets of actions involving policies and programmes have been spelt out. The elements in the two lectures have been adapted from a series of publications prepared as part of the Millennium Ecosystem Assessment series prepared by the World Resources Institute, 2005; published by Island Press, U.S.A.

The excerpt below is provided to students purely for educational and background purposes as the elements presented in the lectures have already been published in a special newspaper supplement produced by IUCN – The World Conservation Union on the occasion of the UN Summit held in September 2005 in New York to make a mid-term assessment of the pace of implementation of the Millennium Development Goals.

The excerpt below is taken from the publication titled: “Living beyond our means” and stresses the vital relationship between the support services provided by nature to humanity. It is hoped that students will use the information and insights obtained by them from the lectures and the handout to bring about positive change for the health and well-being of our planet earth and of humanity.

### **The Services of Nature**

#### **Essential to our lives**

As human societies become more and more complex and technologically advanced, it is easy to gain the impression that we no longer depend on natural systems.

A steadily increasing proportion of the population lives in cities, in environments dominated by human-built structures and machines. Nature may appear to be something to be enjoyed at the weekend if we get the chance, nice to have but hardly at the forefront of our daily concerns.

Even in rural areas, the conservation of natural spaces is often seen as a luxury that has little to do with the well-being of local people — a swamp, for example, might be viewed as wasted land, whose only value is in the crops that could be planted if it were to be drained.

These are dangerous illusions that ignore the vast benefits of nature to the lives of the 6 billion people on the planet. We may have distanced ourselves from nature, but we rely completely on the services it delivers.

#### **Providing the basics:**

At the most basic level, the food we eat is a service of nature. This is most obviously true when it is obtained by harvesting wild species such as ocean fish: the healthy functioning of the food chain of the seas is an asset of vast economic value.

Even food grown in what appear to be the most unnatural conditions, however, is still a product of the biological processes of nature. Whether it is in the genetic material from which seeds or livestock are bred (or, with biotechnology, altered), the soils in which crops are grown, or the water that makes the land fertile:

human nourishment depends on a natural infrastructure underlying the skills and technology of farmers around the world.

Apart from its role in food production, fresh water is of course another of the basics of life. For all the ingenious channeling techniques developed since the earliest civilizations, we still rely on natural systems to regulate the flow of water through the river basins of the world.

Even with the invention of many synthetic materials other products of nature are still used in huge quantities in every society — trees bring us wood and paper, the fashion industry needs plant and animals fibers, and medicines derived from nature are in ever-greater demand.

**LESSON 27****THE GLOBALIZATION: THREATS AND RESPONSES – PART-2”****Regulating Earth — nature as life support:**

While the value of most of these products can be fairly easily calculated, any other services of nature do not appear on conventional balance sheets, but they are equally essential for the survival of modern economies. Their true worth is often appreciated only when they are lost.

Returning to that apparently worthless swamp, for example, wetlands perform a wide range of functions of great value to people — from acting as a natural pollution filter and preventing floods by storing water during heavy rains to supporting wildlife and recreation.

Forests help regulate air quality, the flow of water, and the climate itself. Although their relationship with the atmosphere is more complex than the common description as “lungs of the earth,” forests store large quantities of carbon that would add to the greenhouse effect if released into the air.

Natural systems provide protection from a range of catastrophic events that can devastate human communities — vegetation helps prevent soil erosion and reduce the likelihood of landslides, while coral reefs and mangrove forests act as barriers against coastal storms and even tidal waves.

Interference with living systems can also promote the sudden emergence of human diseases and crop pests, causing great suffering and economic damage. In attempting to assess the importance of nature to our lives, we should not lose sight of the value placed on the variety of life on Earth for its own sake: this is even more difficult to put a price on, but nonetheless of deep concern to people of all cultures.

Whether it is the uplifting sound of birdsong in a city park, the reverence for local species in many indigenous belief systems, or the wonder of a child watching wildlife in a zoo or even on television, appreciation of the natural world is an important part of what makes us human. Even if our material needs could be met with a much narrower range of species and landscapes, many people would regard this loss as a significant threat to their overall well-being.

**LESSON 28****“WORLD TRADE ORGANIZATION (WTO)”**

Note: The World Trade Organization (WTO) has become an extremely controversial name. For many, the name has come to symbolize the biased, unjust manner in which the big and powerful nations force smaller and weaker nations into accepting one sided decisions, terms and quotas affecting trade, jobs, exports and income levels of hundreds of millions of people in developing countries.

On the other hand, WTO is also recognized as the first successful attempt by nations of different sizes and types being able to work together to enforce a system of global trade that is acceptable and practical for all members of WTO, a level of acceptability which is difficult to achieve. The fact that the vast majority of nation states in the world have already become members of WTO or want to become members is cited as proof that, despite the criticism, WTO brings medium and short-term benefits to most, if not all nations.

Students are advised to search the Internet for a wide range of different opinions about WTO. At the same time, to obtain a reasonably balanced understanding of the background from which WTO has emerged and to note its advantages and positive features, the text of this handout is excerpted from the book titled: “The Role of the World Trade Organization in Global Governance”, edited by Gary P. Sampson, published by United Nations University Press, Tokyo, New York, Paris, 2001. E-mail: [sales@hq.unu.edu](mailto:sales@hq.unu.edu), website: [www.unu.edu](http://www.unu.edu).

This handout is taken from the chapter titled: “overview” by Gary P. Sampson, Professor of International Economic Governance, Institute of Advanced Studies, United Nations University.

**LESSON 29****“THE EUROPEAN UNION”**

Note: the text of this handout is excerpted from the publication in brochure form titled: Europe in 12 lessons” by Pascal Fontaine, published by the European Commission, Directorate-General for Press and Communication Publication, B-1049 Brussels, Belgium in October 2003.

Students are advised to visit the EU website at [europa.eu.int/comm./publications](http://europa.eu.int/comm./publications) to obtain further relevant information on the EU provided in this publication as well as in a whole series of similar publication.

In 2005, as a result of negative votes by citizens of major European countries against a draft constitution for the EU, new debates and speculations have begun on the need to conduct comprehensive reforms and to bring the EU system closer to public opinion at the grass-roots level. To keep themselves well-informed on this on-going debate, students are advised to observe programmes on the BBC World Service TV and analysis printed from time to time in leading newspapers and journals.

The merit of this particular text in this handout is that it provides students with information which is rarely reported in the daily news media and helps them appreciate the actual, practical work done at the grass-roots level by the EU.

**What does the Union do?**

The people who drafted the Treaty of Rome set the following task for the European Economic Community: *‘by establishing a common market and progressively approximating the economic policies of member states, to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion, an increase in stability, an accelerated raising of the standard of living and closer relations between the States belonging to it.’*

These goals have been largely achieved, thanks to the free movement of goods, people, services and capital and to the EU’s policy of ensuring fair competition between businesses and protecting consumer interests. The single market was completed in 1993 and the euro came into circulation in 2002.

But, to enable all sectors of the economy and all regions of Europe to benefit from these achievements, they had to be backed up by ‘structural’ policies financed and pursued with commitment and determination by the EU itself.

Europe’s political leaders realised early in that European solidarity would mean taking action to strengthen ‘economic and social cohesion’ — in other words, to narrow the gap between richer and poorer regions. In practice, this meant introducing regional and social policies, and these policies have become more important with each successive enlargement of the EU.

**Regional action**

The EU’s regional policy consists essentially of making payments from the EU budget to disadvantaged regions and sections of the population. The total amount allocated in 2000-2006 is €213 billion. The payments are used to boost development in backward regions, to convert old industrial zones, to help young people and the long-term un-employed find work, to modernise farming and to help less-favoured rural areas.

The money is paid through specific funds — the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Financial Instrument for Fisheries Guidance (FIFG) and the European Agricultural Guidance and Guarantee Fund (EAGGF, also commonly known by its French acronym FEOGA).

These payments top up or stimulate investment by the private sector and by national and regional governments. To target the payments where they will have the greatest effect, the EU has set itself three priority objectives:

- Objective 1 is to help develop regions where the wealth produced divided by the number of inhabitants — technically known as ‘gross domestic product (GDP) per capita’ — is less than 75% of the EU average. This aid, amounting to €135 billion, is two-thirds of all the money allocated to regional policy in 2000-2006. It does to benefit about 50 regions, representing 22% of the EU’s population. It is used to get the economy moving in these regions by creating the infrastructure they lack, providing better training for local people and stimulating investment in local business.
- Objective 2 is to help the regions in difficulty. They may be areas where the economy is being restructured, declining rural areas, fishing communities in crisis or urban areas with serious problems.
- Objective 3 is to combat unemployment by modernising training systems and helping to create jobs. Specific programmes aimed at these objectives include **Interreg**, which promotes co-operation across borders and between regions, and **Urban** — which supports the sustainable development of cities and urban areas in crisis.

In addition to these ‘structural’ funds there is a ‘Cohesion Fund’. This is used to finance transport infrastructure and environmental projects in EU countries whose per capita GDP is less than 90% of the EU average. The countries concerned until now have been Greece, Ireland, Portugal and Spain.

Thanks to structural schemes such as these, financed by the European Union, EU countries have been better able to bring their economies into line with one another. This economic ‘convergence’ is also the result of action by EU governments to meet the requirements for economic and monetary union.

### Extending structural policy to embrace the new member states

Enlarging the Union to take in 10 new member states will pose a major challenge for economic and social cohesion, because development in some regions of these countries lags well behind the rest of the EU. Enlargement will, in fact, make the Union more diverse and require further efforts at sectoral and regional adjustment.

A number of ‘instruments’ are already being used to help the candidate countries. First there is the **Phare** programme, which channels aid to the candidate countries in central and eastern Europe. Over the period 2000 to 2006 they will receive a total of €10.9 billion in ‘pre-accession’ aid.

Then there is **ISPA** (Instrument for Structural Policies or Pre-Accession), which finances environmental and transport projects and has a budget of €7.2 billion.

Thirdly, **Sapard** (an instrument for financing agriculture) has a budget of €3.6 billion. After accession (i.e. after the new member states join), the Structural Fund programmes and Cohesion Fund projects will take over from pre-accession aid.

### The social dimension

The aim of the EU’s social policy is to correct the most glaring inequalities in European society. The European Social Fund (ESF) was set up in 1961 to promote job creation and help workers move from one type of work and one geographical area to another. For 2003, the ESF was allocated €4.8 billion from the EU budget.

Financial aid is not the only way in which the EU seeks to improve social conditions in Europe. Aid alone could never solve all the problems caused by economic recession or by regional under-development. Social progress springs, first and foremost, from economic growth and is nurtured by both national and EU policies.

Social progress is also supported by legislation that guarantees all EU citizens a solid set of basic rights. Some of these rights are enshrined in the Treaties — for example, the right of men and women to equal pay for equal work. Others are set out in directives about the protection of workers (health and safety at work) and essential safety standards.

In December 1991, the Maastricht European Council adopted the Community Charter of basic social rights, setting out the rights all workers in the EU should enjoy: free movement; fair pay; improved working conditions; social protection; the right to form associations and to undertake collective bargaining; the right to vocational training; equal treatment of women and men; worker information, consultation and participation; health protection and safety at the work-place; protection for children, the elderly and the disabled. At Amsterdam in June 1997, this Charter became an integral part of the Treaty and is applicable in all the member states.

### **Employment Policy**

During the final decade of the 20<sup>th</sup> century, EU citizens were increasingly calling on their governments to take more vigorous action to create jobs. How could Europeans believe in the benefits of European integration and have confidence in its future while more than 10% of the EU's workforce (until 1997) were unemployed? So a new chapter on employment was inserted into the Treaty of Amsterdam, making job creation a priority for the EU's economic policy.

At the European Council in Luxembourg on 20 and 21 November 1997, the leaders of the 15 member states agreed a coordinated strategy for making their individual national policies more effective. It was a strategy for better vocational training, for helping start up new businesses and for improving 'social dialogue' — i.e. relations between employers and employees. It laid down guidelines for boosting employment. Progress on implementing these guidelines is regularly reviewed by the member states and the EU institutions, using a jointly agreed assessment procedure.

The 'Luxembourg strategy' was beefed up and given a broader scope by the European Council in Lisbon in March 2000. It became the 'Lisbon strategy', and it was directed towards a new and very ambitious goal: to make the EU, within a decade, *'the most competitive and dynamic knowledge-based economy in the world, capable of sustainable growth with more and better jobs and greater social cohesion'*.



**LESSON 30****“REGIONAL PACTS”**

Text of **handout** for students

**Note:** This Lecture described the concept of regional cooperation between nation-States and provides 6 specific examples of regional pacts.

These include: Economic Cooperation Organization, Gulf Cooperation Council, Association of South East Asian Nations, Shanghai Cooperation Organization, North American Free Trade Agreement, and Mercusor (South America).

Students are advised to visit the respective websites of each of these 6 regional pacts by using Google or Yahoo. For example, the SCO website is at <http://www.sectSCO.org>.

In this handout, students are being provided with an extremely balanced and analytical review of the North American Free Trade Agreement (NAFTA) written on the completion of the first ten years of this Pact. Even though North America only has 3 countries whereas other regional pacts have to deal with 10 or more countries, the successes and failures of NAFTA are a source of relevant reflection in the challenging task of building regional cooperation.

An essay reproduced from the US Journal: “Foreign Affairs” Jan-Feb., 2004 North America’s Second Decade by Robert A. Pastor Professor of International Affairs American University, USA

**North America’s Second Decade****A first draft**

The North American Free Trade Agreement (NAFTA) went into effect on January 1, 1994, amid fears of job loss in the United States and cries of revolution in the south of Mexico. Yet, in a single decade, the three nations of North America have built a market larger than, and almost as integrated as, the 15-nation European Union. Trade and investment have nearly tripled, and the United States, Mexico, and Canada have experienced an unprecedented degree of social and economic integration. For the first time, “North America” is more than just a geographical expression.

In 2000, the election victories of George W. Bush, Vicente Fox, and Jean Chretien raised hopes still further that the promise of a trilateral partnership might be fulfilled. Four years later, however, relations among the three governments have deteriorated. No leader refers to “North America” in the way that Europeans speak of their continent. Indeed, anti-NAFTA name-calling has surfaced again in debates among U.S. presidential candidates. After ten years, it is time to evaluate what NAFTA has accomplished and where it has failed and to determine where it should go from here. What should be the goals for North America’s second decade, and what must North American leaders do to achieve them?

NAFTA was merely the first draft of an economic constitution for North America. It was a deliberately lean document, intended only to dismantle barriers to trade and investment. Its architects planned neither for its success nor for the crises that would confront it. Although NAFTA fuelled the train of continental integration, it did not provide conductors to guide it. As a result, two setbacks—the Mexican peso crisis of 1995 and the terrorist attacks of September 11, 2001—have threatened to derail the integration experiment.

The peso crisis was a blow to the Mexican economy and to U.S. and Canadian faith in integration. NAFTA’s authors had assumed that eliminating restrictions on the movement of capital and goods would, by dint of the market’s magic, lead to unalloyed prosperity. No clause in the agreement established a mechanism to anticipate or respond to market failures. Whereas the EU had created too many intrusive institutions, North America made the opposite mistake: it created almost none.

The second shock to the North American body politic occurred on September 11, 2001. If a true partnership had existed, the leaders of the United States, Mexico, and Canada would have met in Washington in the days after the tragedy to declare that the attack was aimed at all of North America and that they would respond as one. Instead, in the absence of common institutions, the governments reverted to old habits. Acting

unilaterally, Washington virtually closed its borders; Mexican and Canadian leaders responded ambivalently, afraid of how the angry superpower would react.

Both events signify missed opportunities. The establishment of the U.S. Department of Homeland Security places North America once again at a crossroads. One course—the more likely one—would strengthen border enforcement and impede movement, even by friends. Trade and investment would decline, tensions would rise, and the myriad benefits of integration would begin to recede. In an alternative course, however, security fears would serve as a catalyst for deeper integration. That would require new structures to assure mutual security, promote trade, and bring Mexico closer to the First World economies of its neighbours. Progress can occur only with true leadership, new cooperative institutions, and a redefinition of security that puts the United States, Mexico, and Canada inside a continental perimeter, working together as partners.

From its outset, NAFTA was subjected to blistering criticism, often based on outlandish predictions. U.S. presidential candidate Ross Perot warned of a “giant sucking sound”—jobs leaving the United States for Mexico. Mexicans and Canadians, meanwhile, feared that their economies would be taken over by U.S. companies. Opponents predicted that free trade would erode environmental and labour standards in the United States and Canada.

Few of these prophecies have been borne out. The United States experienced the largest job expansion in its history in the 1990s. Although both Mexico and Canada attracted considerable new U.S. investment (since NAFTA gave them privileged access to the U.S. market), the percentage of U.S.-owned companies in each country did not increase. (In fact, Canadian investment in the United States grew even faster than did U.S. investment in Canada.) In Mexico, income disparity did worsen, but only because those regions that do not trade with the United States grew much more slowly than those that do; the problem was not NAFTA, but its absence. Environmental standards in Mexico have actually improved faster than those in Canada and the United States, and Mexico's 2000 election was universally hailed as free and fair. And although Mexico and Canada became more dependent on the U.S. market, as opponents of integration warned, the reverse also happened: U.S. trade with its neighbours grew roughly twice as fast as did its trade with the rest of the world. By 2000, in fact, the United States imported 36 percent of its energy from its most important trading partners—Canada and Mexico—and exports to its neighbours were 350 percent greater than exports to Japan and China and 75 percent greater than exports to the EU.

So much has been attributed to NAFTA that it is easy to forget that it was simply an agreement to dismantle most restrictions on trade and investment over the course of ten years. With a few notable exceptions—such as trucking, softwood, lumber, and sugar—where U.S. economic interests have prevented compliance, the agreement largely succeeded in what it was intended to do: barriers were eliminated, and trade and investment soared.

In the 1990s, U.S. exports to Mexico grew fourfold, from \$28 billion to \$111 billion, and exports to Canada more than doubled, increasing from \$84 billion to \$179 billion. Annual flows of U.S. direct investment to Mexico, meanwhile, went from \$1.3 billion in 1992 to \$15 billion in 2001. U.S. investment in Canada increased from \$2 billion in 1994 to \$16 billion in 2000; Canadian investment flows to the United States grew from \$4.6 billion to \$27 billion over the same period. Travel and immigration among the three countries also increased dramatically. In 2000 alone, people crossed the two borders 500 million times. The most profound impact came from those people who crossed and stayed. The 2000 census estimated that there were 22 million people of Mexican origin in the United States, about 5 million of whom were undocumented workers. Nearly two-thirds of these have arrived in the last two decades.

North America is larger than Europe in population and territory, and its gross product of \$11.4 trillion not only eclipses that of the EU (and will even after the EU expands to 25 nations in May 2004) but also represents one-third of the world's economic output. Intraregional exports as a percentage of total exports climbed from around 30 percent in 1982 to 56 percent in 2001 (compared to 61 percent for the EU). As in the auto industry—which makes up nearly 40 percent of North American trade—much of this exchange is either intraindustry or intrafirm. Both industries and companies have become truly North American.

But although NAFTA has successfully increased trade and investment, it has failed to confront some of the major challenges of integration. This failure has not only harmed the three countries, it has also seriously

undermined support for the agreement, thus preventing North America from seizing opportunities for further progress.

First NAFTA was silent on the development gap between Mexico and its two northern neighbours, and that gap has widened. Second, NAFTA did not plan for success: inadequate roads and infrastructure cannot cope with increased traffic. The resulting delays have raised the transaction costs of regional trade more than the elimination of tariffs has lowered them. Third, NAFTA did not address immigration, and the number of undocumented workers in the United States jumped in the 1990s from 3 million to 9 million (55 percent of whom came from Mexico). Fourth, NAFTA did not address energy issues, a failure highlighted by the catastrophic blackout that Canada and the north-eastern United States suffered last August. Fifth, NAFTA made no attempt to coordinate macroeconomic policy, leaving North American governments with no way to prevent market catastrophes such as the Mexican peso crisis. Finally, NAFTA did nothing to address security—and as a result, the fallout from September 11 threatens to cripple North American integration.

### **Old lessons from new Europe**

The thread that connects these failures is the lack of true trilateral cooperation. Integration has usually taken the form of dual bilateralism—U.S.-Mexican and U.S.-Canadian—rather than a continental partnership. The recent negotiation of “smart” border agreements after September 11 is a good example: instead of creating a uniform North American standard, Washington signed separate but almost identical treaties with its neighbours. The failure to construct multilateral institutions has been largely deliberate. Canada often thinks that it can extract a better deal from the United States when acting alone (a claim for which there is no evidence). And because Washington is not in a multilateral mood these days, Mexico has been the lone advocate of trilateral cooperation. Successful integration, however, requires a new mode of governance in North America, based on rules and reciprocity.

The European experience with integration has much to teach North American policymakers, provided one understands the clear differences between the European and North American models. European unity grew out of two cataclysmic wars, and its principal members are comparable in terms of both population and power. The per capita GDP of the EU’s wealthiest nation (Germany) is roughly twice that of its poorest (Greece), while the per capita GDP of the United States is nearly six times that of Mexico. North America’s model has a single dominant state and has always been more market-driven, more resistant to bureaucracy, and more deferential to national autonomy than Europe’s; these elements will always distinguish the two. But despite these differences, 50 years of European integration should teach North American policymakers that they must address the failures and externalities of an integrating market—whether currency crises, environmental degradation, terrorist threats, infrastructural impediments, or development gaps.

There was a moment early in the Fox and Bush administrations when North American leaders appeared to accept this point. In February 2001, Fox and Bush jointly endorsed the Guanajuato proposal, which read, “After consultation with our Canadian partners, we will strive to consolidate a North American economic community whose benefits reach the lesser-developed areas of the region and extend to the most vulnerable social groups in our countries.” Unfortunately, they never translated that sentiment into policy (with the exception of the symbolic but substantively trivial \$40 million Partnership for Prosperity).

All three governments share the blame for this failure. Bush’s primary goal was to open the Mexican oil sector to U.S. investors, while Chrétien showed no interest in working with Mexico. Fox, for his part, put forth too ambitious an agenda with too much emphasis on radical reform of U.S. immigration policy. His proposal called for raising the number of legal temporary workers and legalizing millions of undocumented ones. Bush’s initial response was polite, but he soon realized he could not deliver (reportedly in part because his adviser Karl Rove reminded him that two out of three naturalized Mexicans vote Democratic). The illegal immigration issue remains unsolved. Ultimately, however, it is more symptom than cause: the only way to reduce illegal immigration is to make Mexico’s economy grow faster than that of the United States.

### **Mind the gap**

For North America’s second decade, there is no higher priority than reducing the economic divide between Mexico and the rest of NAFTA. A true partnership is simply not possible when the people of one nation earn, on average, one-sixth as much as do people across the border. Mexico’s underdevelopment is a threat to its stability, to its neighbours, and to the future of integration.

The EU experience is instructive here as well. From 1986 to 1999, the per capita GDP of the EU's four poorest countries rose from 65 percent to 78 percent of the average for all member states, thanks to free trade, foreign investment, and generous annual aid (.45 percent of EU GDP). Good policy on the part of aid recipients—and the fact that aid was conditioned on such policies—also made an important difference. Admittedly, not all EU aid money has been spent well, and North America can learn from the EU's failures as well as its successes. North America should avoid excessive bureaucracy and concentrate aid on areas such as infrastructure and postsecondary education, which have a strong multiplier effect on the rest of the economy. But two basic lessons stand: growth in one country benefits the others, and limiting the volatility of the poorest helps all.

Mexico needs a new development strategy, partly financed by its North American partners. To reduce the development gap with the United States by 20 percent in the next ten years, Mexico will need to achieve an annual growth rate of 6 percent. At that rate, closing the gap entirely will take decades, but a sustainable strategy that results in small annual reductions will have an important economic and psychological effect. Such growth will require a new, labour-intensive strategy and significant public investment.

Although Mexico as a whole has benefited from NAFTA, free trade and increased foreign investment have skewed development and exacerbated inequalities within the country. Ninety percent of new investment has gone to just four states, three of them in the north. These Border States have grown ten times as fast as states in Mexico's south and have become a magnet for migrants from those poor regions. The border area would seem to have a disadvantage in attracting foreign investors: labour is three times as expensive as it is in the south, annual workforce turnover is 100 percent, and congestion and pollution are chronic. But roads from the border to the south are in terrible shape, and other infrastructure is even worse. The World Bank estimates that Mexico needs to spend \$20 billion per year for the next ten years to overcome this infrastructure deficit.

To correct this disparity, the three governments should establish a "North American Investment Fund" that would invest \$200 billion in infrastructure over the next decade. Washington should provide \$9 billion a year, and Canada \$1 billion—but only on the condition that Mexico matches the total amount by gradually increasing tax revenues from 11 percent to 16 percent of its GDP. Fox has tried unsuccessfully to institute fiscal reform in the past, but the offer from Mexico's neighbours might help him persuade his Congress to accept this and other reforms. (The U.S. contribution would be much less than European aid to its poorest member states and only one-half of the amounts of the Bush administration's aid to Iraq. The return on an investment in Mexico, moreover, would benefit the U.S. economy more than any aid program in history.) A new agency is not necessary: the World Bank or the Inter-American Development Bank should administer the funds. Ultimately, improved roads and infrastructure would attract investors to the centre and south of the country, and income disparities and immigration would decline as a result. The reforms would also make Mexico more competitive with China.

### **North American plans**

NAFTA has failed to create a partnership because North American governments have not changed the way they deal with one another. Dual bilateralism, driven by U.S. power, continues to govern and to irritate. Adding a third party to bilateral disputes vastly increases the chance that rules, not power, will resolve problems.

This trilateral approach should be institutionalized in a new "North American Commission" (NAC). Unlike the sprawling and intrusive European Commission, the NAC should be lean and advisory, made up of just 15 distinguished individuals, 5 from each nation. Its principal purpose should be to prepare a North American agenda for leaders to consider at biannual summits and to monitor the implementation of the resulting agreements. It should also evaluate ways to facilitate economic integration, producing specific proposals on continental issues such as harmonizing environmental and labour standards and forging a competition policy.

The U.S. Congress should also merge the U.S.-Mexican and U.S.-Canadian antiparliamentary groups into a single "North American Parliamentary Group." This might encourage legislators to stop tossing invective across their borders and instead start bargaining to solve shared problems.

A third institution should be a “Permanent Court on Trade and Investment.” NAFTA established ad hoc dispute panels, but it has become increasingly difficult to find experts who do not have a conflict of interest to arbitrate conflicts. A permanent court would permit the accumulation of precedent and lay the groundwork for North American business law. It would also prevent the erosion of environmental standards and make proceedings more transparent.

Canada and Mexico have long organized their governments to give priority to their bilateral relationships with the United States. Washington alone is poorly organized to address North American issues. President Bush must take into account the extent to which the domestic interests of the United States collide with those of its neighbours by appointing a White House adviser for North American affairs. Such a figure would bridge national security, homeland security, and domestic policy councils and chair a cabinet-level interagency task force on North America. No president can forge a coherent U.S. policy toward North America without such a wholesale reorganization.

September 11, and the subsequent U.S. response highlighted a basic dilemma of integration: how to facilitate legitimate flows of people and goods while stopping terrorists and smugglers. When Washington virtually sealed its borders after the attacks, trucks on the Canadian side backed up 22 miles. Companies that relied on “just-in-time” inventory systems began to close their plants. The new strategy—exemplified by the “smart” border agreements already in the works before September 11—is to concentrate inspections on high-risk goods and people. This approach, however, is too narrow to solve so fundamental a problem. Now, the establishment of the U.S. Department of Homeland Security has unintentionally threatened integration as well.

Overcoming the tension between security and trade requires a bolder approach to continental integration: a North American customs union with a common external tariff (CET), which would significantly reduce border inspections and eliminate cumbersome rules-of-origin provisions designed to deny non-NAFTA products the same easy access. All three governments must also rethink the continental perimeter. Along with the CET, they should establish a “North American Customs and Immigration Force,” composed of officials trained together in a single professional school, and they should fashion procedures to streamline border-crossing documentation. Most important, the Department of Homeland Security should expand its mission to include continental security—a shift best achieved by incorporating Mexican and Canadian perspectives and personnel into its design and operation.

Security obstacles, however, are only the beginning of North America’s transportation problems. As a May 2000 report by a member of Canada’s Parliament concluded, “Crossing the border has actually gotten more difficult over the past five years. ... While continental trade has skyrocketed, the physical infrastructure enabling the movement of these goods has not.” The bureaucratic barriers to cross-border business, meanwhile, make the infrastructural problems seem “minor in comparison.” Washington has been criticised for imposing its own safety standards on Mexican trucks, but the truth is even more embarrassing: there are 64 different sets of safety regulations in North America, 51 of which are in the United States. A NAFTA subcommittee struggled to define a uniform standard and concluded that “there is no prospect” of doing so.

The NAC should develop an integrated continental plan for transportation and infrastructure that includes new North American highways and high-speed rail corridors. The United States and Canada should each develop national standards on weight, safety and configuration of trucking and then negotiate with Mexico to establish a single set of standards.

In addition, the United States and Canada should begin to merge immigration and refugee policies. It will be impossible to include Mexico in this process until the development gap is narrowed. In the meantime, the three governments should work to develop a North American passport, available to a larger group of citizens with each successive year.

Finally, North American governments can learn from the EU’s efforts to establish EU Educational and Research Centres in the United States. Centres for North American Studies in the United States, Canada and Mexico would help people in all three countries to understand the problems and the potential of an integrated North America—and to think of themselves as North Americans. Until a new consciousness of North America’s promise takes root, many of these proposals will remain beyond the reach of policymakers.

**Old arguments, new visions**

Opponents of integration often attack such proposals as threats to national sovereignty. Sovereignty, however, is not a fixed concept. In the past, Canada used sovereignty to keep out U.S. oil companies, Mexico relied on it to bar international election monitors, and the United States invoked it as an excuse to privilege “states’ rights” over human rights. In each case, sovereignty was used to defend bad policies. Countries benefited when they changed these policies, and evidence suggests that North Americans are ready for a new relationship that renders this old definition of sovereignty obsolete.

Studies over the past 20 years have shown a convergence of values, on personal and family issues as well as on public policy. Citizens of each nation tend to have very positive views of their neighbours, and there is modest net support for NAFTA. (There is also a neat consensus: each nation agrees that the other signatories have benefited more than it has.) Fifty-eight percent of Canadians and 69 percent of Americans feel a “strong” attachment to North America, and, more surprisingly, 34 percent of Mexicans consider themselves “North American,” even though that term in Spanish refers specifically to U.S. nationals. Some surveys even indicate that a majority of the public would be prepared to join a North American nation if they believed it would improve their standard of living without threatening their culture. An October 2003 poll taken in all three countries by Ekos, a Canadian firm, found that a clear majority believes that a North American economic union will be established in the next ten years. The same survey found an overwhelming majority in favour of more integrated North American policies on the environment, transportation, and defence and a more modest majority in favour of common energy and banking policies. And 75 percent of people in the United States and Canada, and two-thirds of Mexicans, support the development of a North American security perimeter.

The U.S., Mexican, and Canadian governments remain zealous defenders of an outdated conception of sovereignty even though their citizens are ready for a new approach. Each nation’s leadership has stressed differences rather than common interests. North America needs leaders who can articulate and pursue a broader vision.

North America’s second decade poses a distinct challenge for each government. First, the new Canadian Prime Minister, Paul Martin, should take the lead in replacing the dual bilateralism of the past with rule-based North American institutions. If he leads, Mexico will support him, and the United States will soon follow. Mexico, for its part, should demonstrate how it would use a North American Investment Fund to double its growth rate and begin closing the development gap. Finally, the United States should redefine its leadership in the twenty-first century to inspire support rather than resentment and fear. If Washington can adjust its interests to align with those of its neighbours, the world will look to the United States in a new way. These three challenges constitute an agenda of great consequence for North America in its second decade. Success will not only energize the continent; it will provide a model for other regions round the world.

**LESSON 31****“OIC: ORGANIZATION OF THE ISLAMIC CONFERENCE”**

Text of **handout** for students

Note: The text of this handout reproduces a section from the book titled: “Reasserting International Islam: A focus on the Organization of the Islamic Conference and other Islamic Institutions” by Saad S. Khan with a foreword by John L. Esposito, published by Oxford University Press. This particular section is taken from the last chapter titled: “Epilogue: Islamic challenge in the 21st century”.

Students are advised to read the principal and relevant sections of this comprehensive and well-researched study in order to obtain an accurate understanding of the OIC as it has evolved and as it exists at the start of the 21<sup>st</sup> century.

**Agenda 21: Future Directions**

The answers to the staggering questions about the role of political Islam, its ‘hidden’ Islamic agendas and its likely directions in the 21<sup>st</sup> century, are not easy to predict. In any case, the conscious, subconscious and unconscious biases are likely to influence the perceptions of a beholder on the topic. It was never the intention of this book to provide conclusive answers, which should better be left to the final arbiter—History. The underlying purpose of the work was to bring the discussion on the future of international Islam from the realm of rhetoric and prejudice to that of reality.

The academics and policy-makers of the day may get an insight into political Islam through an incisive description of the strengths and weaknesses, as well as past record, present orientation, and the future goals of the international Islamic institutions. These institutions promote the confidence-building process and provide a forum for meaningful cooperation. No group of nations can join together in a Union in a vacuum, without such proper infrastructure and without undergoing the evolutionary process that it entails. Such infrastructure of institutions definitely precedes a meaningful long-term alliance but the latter does not necessarily follow the former.

The argument is that the strength or weakness of international Islam and the Muslim bloc is inextricably intertwined with these organizations. This freemasonry can be the vanguard of an Islamic Union (on the pattern of the European Union), if at all, any progress is ever made in the direction. Arguing on the same line that international organization is the only conceivable framework that can bring together the Muslim states, Noor Ahmad Baba notes:

“The Muslim world, like the rest of the modern world, operates under the dualistic pressures of centripetal and centrifugal forces. This is a phenomenon of the post-industrial revolution world society that has on the one hand, increased interdependence of countries and thereby necessitated co-operation among them and on the other hand proliferated the world into smaller identities and further sharpened and strengthened their consciousness as Nation-States. International governmental organization in this regard has been a product of the human genius to accommodate these conflicting realities and make them converge for positive gains. In this connection, the international governmental organization framework has provided an ideal model for cooperation at different levels while allowing nations to preserve their separate hood.”

There is no denying the fact that the OIC and its subsidiary institutions have achieved much less than what the pioneers had envisioned. Most of the lofty goals and ideals are still on paper alone. The Muslim Common Market, the Islamic Free Trade Area, the Islamic Collective Security System and many such things, which the OIC has long been harping about, are yet unrealized dreams. But for our purpose, it is the potential, rather than performance of the Islamic institutions that is relevant. The atmosphere in the Muslim world at present, owing to separate nationhood of the states, parochial outlook, mutual suspicions, and the often incongruous economic interests may not be very hospitable to a serious effort at evolving a consensus on the future political order. Nevertheless, the decades of experience in diplomacy of the Muslim states and organizations, ramifications of global political trends, fading away of colonial legacies and the existence of a good measure of areas of complementarity, are the counter-factors that cannot be discounted. At best, the Islamic Conference can turn out to be a League of Nations (LoN) of the Muslim states, which organization

was a failure in its own reference but on its ashes, rose a more assertive and confident organization, the United Nations.

The phenomenon of the OIC and other Islamic organizations should be taken as a process, not an event. Based on religious foundations, the Islamic organizations are using the Islamic tradition in convergence with modern organizational framework to serve the community of Muslim states. It is also true that these organizations have challenged the rising role of secular ideas in Muslim societies and have disproved the view that secularism is the order of the day. More than that, the OIC experience has shown that in some respects at least, religious affinity becomes a stronger basis for cooperation than geographical proximity. 'The Arabs' experience with invoking Arab linguistic nationhood or socialist ideological bonds, to counter Israel failed miserably. It was the oil, and it alone, that kept the Palestine issue alive on the slogan of a Muslim people (Palestinians) being displaced and oppressed, which the Arab League failed to realize prior to the inception of the OIC.

The role of international Islamic organizations is vital in another respect also. Unlike the hard-line Islamist political parties, with localized influence within the Muslim states, one may agree, the international Islamic organizations are forces of moderation. Their solidification as bridges between Islam and the West, may eventually contain the Islam-West rhetoric. On their part, the Islamic organizations should conduct themselves so as to be seen by the Muslims and other civilizations and societies alike as assets, in order not to fan the atavistic fears about Islamic resurgence in the West.

For the West, any under-estimation or overestimation of the phenomenon would be equally inappropriate. Much more counter-productive would be dubbing Islam in stereotypes of extremism, anti-Westism and as something repugnant to progress and development. Islamic resurgence is a potential agent of change. The West should not take change as anathema; otherwise this may inadvertently precipitate another cycle of uncalled-for rivalry and conflict. The best response at present would be co-operation, trust, and mutual respect.

Economic imperatives are rising to the fore and will inevitably overshadow other imperatives such as politics, ethnicity etc. Every actor or group of across recognizes peace and development for humanity as the ultimate goals, strives for them or its own people but professes them for all mankind. A great challenge awaits the world in the 21<sup>st</sup> century which will neither be European, American, or an Asian century but will be a world century, not by choice but of necessity. Globalism will force the pace of regionalism and the development of regional economic zones which capitalize on complementarities and synergies with a view to become better competitors in the global market. When that challenge comes, it would require a high degree of sagacity, wisdom, and statesmanship, from the leaders and peoples of all the nations, to work collectively for the common good of the human race and its abode—the earth.



## LESSON 32

## “FROM SOUTH ASIA TO SAARC”

Text of **handout** for students

**Note:** Students are advised to obtain comprehensive factual information about SAARC from the website: <http://www.saarc-sec.org>.

For a more analytical and interpretative approach to South Asia and SAARC, with special reference to the negative facets of the situation today as contrasted with the immense potential for beneficial cooperation, students are advised to visit the <http://www.strategicforesight.com> and to look for the text of the publication titled: “The Second Freedom - South Asian Challenge 2005-2025” published by the Strategic Foresight Group of the International Centre for Peace Initiatives, Mumbai.

Even though the Strategic Foresight Group and the ICPI, in the opinion of this lecturer have often displayed a distinct bias against Pakistan and adverse, imbalanced comments about Pakistan appear in their publications, they do, at the same time, provide relevant and useful data about the South Asian region, prospects for the benefits that can be gained from cooperation, the high cost of conflict between Pakistan and India, and other subjects. In this case, if the biased material against Pakistan is disregarded, the publication / website referred to above will provide students with a multi-dimensional perspective on this subject.

The remaining part of this handout comprises a short essay written by the lecturer in 1991 and published in The News International, Karachi in November 1991. Even though 14 years have lapsed between 1991 and 2005, the vision of “A Parliament for South Asia” outlined in this essay for the first time poses a challenge for the generation to which the students belong. Various factors have prevented the fulfilment of this vision. But that does not reduce the relevance or significance of attempting to achieve it in the future. As the last paragraph of this essay informs the reader, as many as 10 former and serving Prime Ministers and leaders of South Asian countries endorsed the concept in 1991 and in the first-half of 1992. The tragic Babri Masjid demolition of December 6, 1992 derailed the preparatory process for the first step towards this goal. In recent years, other organisations and individuals have also begun to suggest a similar forum. It is hoped that students will contribute their own important share in taking forward this ideal to a practical stage.

### **A Parliament for South Asia - A proposal by Javed Jabbar**

The postponement and possible cancellation of the SAARC Summit Conference of November 1991, strengthens, rather than weakens the case for the creation of a non-legislative Parliament for South Asia, which would initially be a regular conference of major political parties of the region. The concept was briefly outlined by this writer at a seminar in Karachi in July 1991: it is being presented in written form for the first time in this short essay (published in The News in November 1991).

The abortive Colombo Summit conclusively proves that relations between the nations of South Asia are too rigidly controlled by Governments which have the legitimate authority to act on behalf of their respective peoples but at the same time, too often, become hostage to the dictates of formal, official positions on issues.

Since the inception of SAARC in Dhaka, Bangladesh, in December 1985, the region has been marked by two conflicting trends. One trend is the movement towards multi-party democratic systems in each of the seven countries, culminating in a majority of them in the formation of representative institutions. Though there are ample grounds to question the authenticity of the electoral process in some cases, the region-wise preference for a democratic and political approach to development is fairly clear and unambiguous, despite the difficulties being faced in the operation of the democratic system.

At the same time a second trend has become pronounced in the past few years in the region. This is the heightening of tension and conflict both **between** the nation-States of South Asia and ethnic or religious polarisation **within** nation-States.

In what constitutes one of the most important regions of the world, representing one-fifth of humanity, there is no single mechanism that provides an opportunity for these two trends to be simultaneously reflected, analysed and contained.

Under the current democratic freedom being witnessed by the nations of South Asia, the political leaderships shoot—and shout—their rhetoric regarding relations with other States in a kind of vacuum chamber because the for in which the invective, or the goodwill as the case may be, are expressed, are strictly domestic.

If nothing else, a regional parliament would serve as a useful place to let off steam where representatives could vent all their contrasting, conflicting viewpoints. Through the process of listening directly to each other about what they thought of each other without the restrictions that government-to-government dialogue requires, the peoples' representatives would be able to move closer towards a commonality of positions on vital issues, building on the strengths that they share rather than concentrating on the divisive elements alone.

Within the larger South Asian peoples' community setting, solutions to historic and difficult problems that have bedevilled bilateral relations between two neighbours could also be gainfully pursued.

One significant and immediate benefit would surely be an improved environment for minorities because the dynamics of dialogue between political parties that have a communal dimension—with national frontiers temporarily removed—are bound to increase tolerance and reduce religious animosities.

For the foreseeable future the exclusive function of a regional parliament would be to serve as a forum for conflict resolution on a mass level, as a peace-making forum on the political level, with no legislative duties except those that can promote solutions to disputes. Each country of South Asia would preserve its internal legislative sovereignty while participating in this South Asian parliament. If official participation is initially difficult, then the parliament could assemble regularly on a non-official, people-to-people basis.

Existing modes of contact between the seven nations on a regional basis as provided by the SAARC mechanisms are either too sectoral and fragmented as in the case of co-operation in telecommunications and agricultural research or too rigid and portcullises as in the case of the Summit-level meetings where the absence of a single Head of State or Government can be used as a device to torpedo the whole summit itself.

Sectoral co-operation is necessary and useful, serving as a slow, step-by-step approach towards co-operation between nations. But it is confined to specialised and professional interaction rather than contact at the popular level which is critical to the objective of strengthening friendship amongst South Asian nations.

The pressing urgency of the problems faced by the people of South Asia, the abiding agony of acute poverty, illiteracy, ill-health, and deprivation cannot afford the luxury of a cautious and evolutionary approach to the desirable condition of regional pace and stability in which condition alone these basic problems can be effectively tackled.

For over 40 years this conventional and stereotypical evolutionary approach has been followed with predictably marginal progress. In an age when advancement of human knowledge is proceeding at a blistering pace, the rate of movement in South Asia towards regional co-operation is a ponderous and plodding rate, out-of-step with the needs of the people and out-of-synch with the rest of the world.

While in other parts of the planet, vast State structures are collapsing and are being re-organised, where whole ideologies are being discarded or are being re-vamped, where new nation-States are emerging, old wounds continue to fester in South Asia; sometimes deepening at every touch of the expired medicines that continue to be applied.

The nature of inter-governmental relations in the region on a multi-lateral as well as a bilateral basis move from one extreme of a fixed and static position to the other extreme of a see-saw in which meetings between Government leaders produce brief promises of progress only to revert quickly to mutual suspicion and hostility.

There is thus apparent a distinct need for a new initiative that breaks with the inhibiting patterns of the past to define new directions for dialogue and discussion, for conversation and communication between the people who represent the broad range of public opinion in the region.

Governments tend almost exclusively to represent single political parties or, in some cases, coalitions which nevertheless still represent a limited segment of the total population. In the multi-party parliamentary systems that substantively characterise at least five of the seven South Asian nations (with the Maldives and Bhutan being the exceptions) and these representing the overwhelming bulk of the region's population of one billion people, it is imperative to create a system by which the major political parties of all seven nations are able to engage in regular, in-depth, direct communication with each other.

By bringing together major political parties from each country into contact with the principal political forces of neighbouring countries, the parliament would enable parties that are traditional adversaries within their own countries and which prevent each other from taking an innovative approach to unresolved problems in the region, to forge a consensus within each country regarding new paths to peace.

When a political party establishes a government it also inherits a set of enduring official assumptions and perceptions on important policy issues concerning relations with other nations in the region. Some of these inherited perceptions are valid but in the absence of a pluralist political perspective which can only be provided by reference to the breadth of political opinion prevailing in a given country and across the region, the entrenched establishment view of peace and conflict in South Asia tends to determine the patterns of inter-State relations even after a new government, or governments, take office.

A permanent Parliament of South Asia would thus provide the large canvas that the scale of the region deserves. This would be a canvas upon which a transcending vision of peace and unity could be outlined and then filled in with hues and shades even when governments, as they come and go, would initially tend to stick to the tones that they have long used.

Gradually, cumulatively, over a period of years and decades, but sooner rather than later, the existence of a parliamentary framework on a South Asian basis would help erode the obstacles of suspicion and hate that have so far shaped the course of relations.

The composition of a South Asian parliament could be determined by a combination of some, or all, of the following elements.

Firstly, all political parties of a country that have polled at least 10 per cent of the national vote in the previous one or two general elections would be entitled to nominate say, 5 representatives each to the South Asian parliament.

Then, assuming that from each of the larger population South Asian countries (Pakistan, India, Bangladesh, Sri Lanka and Nepal) we could obtain 20 representatives from 4 leading political parties or coalitions of each country we would get a total of about 100 representatives. From the two South Asian countries i.e., Bhutan and Maldives, which have extremely small populations and do not have vigorous multi-party systems, on the principle of equity, we could also obtain 20 representatives chosen by nomination or consensus within their respective countries to provide an initial number of a hundred and forty individuals.

Secondly, in order to provide the valuable resource of specialised knowledge and experience each country could nominate 5 technocrats in fields such as economics, education, health, defence and development.

Thirdly, all former Heads of State and Heads of Government who are able to participate should be entitled to do so in the deliberations of a South Asian Parliament so that the assembly benefits from their specific experience and insights.

Fourthly, to prevent the membership of a South Asian Parliament from being subject to unduly frequent changes caused by the holding of unscheduled elections or the ouster of governments within on-going legislatures, a percentage of the seats of the regional parliament could be allocated to political parties and representative organisations for a fixed term on the basis of their share of the vote over the past 2 or 3

elections while the remaining seats of the parliament could be directly determined by the results of each election in the nations of the region.

In its initial formative phase during which its potential and its actual performance can be studied, such a parliament could comprise about 250 to 300 people representing virtually the entire range of political and public opinion throughout South Asia while at the same time benefiting from the expert opinion of professionals and of the past official leadership.

To avoid exposing the tender sapling of regional democracy to bilateral conflict, the venue for the meetings of the South Asian parliament during the first five years—till the present degree of virtually frozen relations is thawed out a little—should be the capital of a country that is not part of the over-heated bilateral grid of Pakistan-India, Sri Lanka-India or India-Bangladesh relations. Kathmandu thus suggests itself as the ideal venue for this assembly.

One essential step forward towards a Parliament of South Asia is a coming together for a few days of the leadership of the major political parties of South Asia: a kind of South Asian political parties conference which could examine the feasibility of this proposal on a face-to-face basis and formalise a mechanism to obtain both governmental endorsement as well as wider non-governmental support. In the year ahead it is intended to create the organisational basis for such a conference with equal participation from public figures of all seven nations.

The real scope and complexity of the linkages between the peoples of the seven South Asian nations containing, in turn, within themselves, a very large number of sub-nationalities and communities with a spectacular variety of languages, cultures, races and faiths deserves a forum of direct people-to-people communication that encompasses, but does not exclusively consist of, government-to-government relations.

A regional parliament would provide a permanent and comprehensive framework for a continuous exchange of facts and opinions between the elected and political representatives of the people within which changes of governments and shifts of policies could occur without disrupting an enduring process of communication.

**Update:**

The proposal made by this writer for the first-ever conference of the leadership of all major ruling and opposition political parties of South Asia was subsequently endorsed by sixteen political parties in Pakistan, India, Nepal, Bangladesh and Sri Lanka and by ten former and serving Prime Ministers. The convening of the conference at an appropriate time in the future is dependent upon the relative stabilization of political conditions in the countries of the region.

## LESSON 33

## “THE PAKISTAN-INDIA RELATIONSHIP”

Text of **handout** for students

**Note:** The subject of this lecture is fairly extensively covered by books recommended in the reading list for the first 9 lectures as well as by the reading list for this lecture itself. The daily news media, print and electronic, in Urdu and in English carry material that is also of on-going relevance in view of the generally positive direction taken in relations between the two countries since January 2004.

The text of this handout provides students with reflections on the notable duality of the relationship. The content of this handout is a short essay written by this lecturer in December 1991 and published in a leading newspaper of Pakistan in the same month. Despite the passage of 14 years since the publication of this essay, the duality and complexity referred to in the text remains wholly or substantially true in 2005! Or perhaps students may have their own valued opinion on this aspect. Through their answers to questions in assignments and in the final exam, we should be able to explore different aspects of this unique bilateral relationship.

**Formal legitimacy and illicit informality -- by Javed Jabbar**

Of the many paradoxes that mark the relationship between Pakistan and India perhaps the most revealing one is the fact that virtually simultaneous to the legitimization of independent Statehood for both countries in August 1947, the actual people-to-people relationship became an illicit one.

The genesis of the illicit bondage was wild and violent in the ire and the fury that marked Partition and the pain-filled migration of millions across new over-night borders.

Though the water of time never quite washed away the blood-stains of agonising birth, the unavoidable reality of many shared features gave the first 18 years a fairly ambivalent character. The Muslim-Hindu dimension of the ancient relationship retained a primeval prurience, appealing and repelling at one and the same time.

There were — and are — so many splendid instances of close human relationships segmented by the borders. Senior army officers on one side who had brothers on the other; venerated teachers there, outstanding students here and vice versa; civil officers who had served together, and deep friendships galore.

For the first 18 years of the relationship the illicit aspect grew slowly yet surely, made more so from our viewpoint by the initial conflict over Kashmir and recurring disputations about Hyderabad Deccan, Junagadh, Manavadar, Goa, Rann of Kutch, Sikkim, and from the other side, their adverse reaction to our entry into military pacts like CENTO and SEATO and other assorted actions.

Perhaps the high point of this teenage love-hate linkage was the visit of Jawaharlal Nehru to Karachi in 1960 to sign the Indus Waters Treaty with Ayub Khan. One remembers the chaste Urdu in which Nehru spoke at a reception in Bagh-e-Jinnah, Karachi and briefly, the odd couple of a civilian political leader and a handsome military dictator became an awkward yet interesting symbol for a relationship that appeared to have a notable elasticity.

The 1965 war stripped away much of the formal pretence and exposed the raw substance. The media began to play a major role in the relationship. No single phenomenon reflects the ironies better than the voice of Noor Jehan, introduced to the world through the film music of Bombay and Lahore in the 1940s, singing in 1965 the memorably lilting and exhortative war song addressed to Pakistani soldiers fighting India: *Ae watan ke sajele jawano*.

The aftermath of the 1965 war formalised the illegitimacy that had so far been latent. The import and screening of Indian films was banned while the limited number of pre-1965 films which had been imported earlier into the country began to be screened furtively in the drawing rooms and compounds of houses on noisy 35 mm film projectors and occasionally on 16mm machines.

Newspapers, books and magazines, never too widely available, now disappeared from vendors and bookshops and were found only on the black market grid. And even though radio could not be regulated, and listenership of programmes such as Binaca Geet mala on Radio Ceylon increased in order to quench the thirst for “contact”, there emerged a general awareness that the two States looked askance at a close relationship between the two peoples.

This is when the role of the intelligence agencies and police forces of both countries became particularly offensive. They seem to take an almost perverse pleasure in harassing citizens who meet diplomats from the unfriendly neighbour, suspecting every one who does so of being subversive.

The special procedure to obtain endorsements for travel to India on what were otherwise “International passports” and the discomfoting, if not, humiliating procedure for obtaining visas and then having to report at police stations upon arrival and departure from the cities of the other country became expressions of the attitude that had come to mark contact between the two peoples.

Six years later, in 1971, the tragedy of East Pakistan took place, largely precipitated by our own open-eyed blunders as well as by blind ambition but also crucially wrought by India that knew — and later admitted — that it was a historical, not-to-be-missed, opportunity for the halving of Pakistan’s original State-size.

After the signing of the Simla Agreement and the exchange of POWs in 1972, the withdrawal from occupied territories et al, the failure to reopen the land route via Khokhrapar on the Sindh-Rajasthan section of the border, signposted the descent of the relationship to a new low of mistrust.

Through the 1970s, though the emotive links remained, there began a divergence away from each other by the two people. This was only halted by the uncontrollable advent of media technology rather than by an act of political will.

The first of these media-related interventions for a resumption of indirect contact between the two peoples was the commencement of telecasting by Amritsar TV in the early 1980s. This change stimulated increased viewing in India of PTV programmes from the Lahore TV centre and equally attracted high viewership in Pakistan’s Punjab of Indian feature films and film songs shown on Amritsar TV, partly to deliberately attract Pakistani viewers to Indian TV.

The second major media-related intervention was the advent of VCR machines, video tapes and finally, video cassettes, that enabled Indian feature films to be pirated on to video within hours of their release in India to be smuggled to cities and towns throughout Pakistan for replication and viewing in thousands of Pakistani homes.

During the 1980s, the video phenomenon was the most vivid manifestation of the illicit dimension of the relationship, an illicitness so distinctly tinged with desirability that thousands of video rental shops proliferated across the country under the very eyes of the police and the law-enforcement system that were both unwilling and unable to enforce controls in this respect.

Reciprocally, video technology gave an opportunity to enterprising and unlicensed entrepreneurs to export recordings of PTV plays that became widely popular in India.

With the resumption of diplomatic relations in the late 1970s, there was a revival of exchange of cricket teams. The bat-and-ball spectacles on public grounds broadcast and telecast live to huge audiences in both countries, as also encounters on the hockey field created for the first time in history a spectacular, open setting for the observance of the complex Pak-Indian relationship. It was now legitimately adversarial in the context of sports and yet remained illicit on subterranean levels of the psyche.

There was an unusual juxtaposition of a representative of the military elite which, in both countries, is seen as being hostile and aggressive to the other country and the representative of a cinema industry generally viewed as the one sector in which both countries have always conducted an illicit friendship. This was expressed in the cordiality between the person and family of General Ziaul Haq and the Indian actor Shatrughan Sinha by

which, de facto, it was being conceded that the illegal video circuit ran through the residence of the Pakistani chief of army staff.

And in a strangely melodramatic kind of way, both the fact that the relationship had begun to extend over more than one generation and the fact that the inter-twined nature remained a major factor came through when Rajiv Gandhi met Benazir Bhutto for the first time in Islamabad in December 1988 during the SAARC Summit and referred to the Simla Agreement to say “When your father and my mother met in Simla in 1972...”.

Whether technology makes ideology irrelevant or whether technology is used to attack ideology becomes apparent in the way in which the golden film songs of the 1940s, 1950s and 1960s continue to be played openly and loudly from paan shops and audio cassette players in the villages and towns of both countries. In the middle of radio programmes beamed by one country’s network at listeners in the other country, programmes brimming with memorable music will sandwich blunt, hard-hitting propaganda that aims to subvert the opinion of listeners across the borders.

Despite common membership in SAARC and the Commonwealth, despite an increasing frequency of contact between leaders and officials as well as non-governmental citizens, despite the continuation of travel across frontiers, the Pakistan-India relationship remains difficult and dualistic, still steeped in a potent mixture of historic intimacy and traditional alienation, of formal legitimacy and illicit informality.

**LESSON 34****“DIMENSIONS OF TERRORISM”**

Text of **handout** for students

**Note:** In order to help students to obtain access to analysis of the current global situation with particular reference to terrorism, and an unusually perceptive and courageously critical review of the subject by one of America’s most respected intellectuals, the text of this handout comprises the last chapter of the book titled: “Fear’s Empire”, by Professor Benjamin Barber, University of Maryland, U.S.A. The book was published by W.W. Norton & Co., New York, London, 2004.

The tributes paid to the book and the author by Leslie Gelb, the President of the Council of Foreign Relations, U.S.A. conveys the significance of the contents of this book: “Barber once again proves that he is among the very top serious thinkers and writers about American politics and culture.”

The author is of the view that a condition of mass fear has deliberately been created in order to promote the interests of militarism, weaponry and global domination by one power alone, using terrorism as a convenient reason for generating this fear psychosis that will retain “terrorism” as a convenient and permanent target.



**LESSON 35****FROM VIOLENT CONFLICT TO PEACEFUL CO-EXISTENCE**

Text of the **handout** for students

**Note:** As a review of the verbal and visual (i.e. ppts) of this lecture will show to the students, the content covers the subject in its different constituent stages, proceeding from the eruption and cessation of violence between communities and countries to the challenge of constructing and maintaining stable and peaceful relations between those who have previously been involved in mutually or directly destructive actions.

The text of the following material on reconciliation is excerpted from the handbook titled: “Reconciliation After Violent Conflict”, published by the International Institute for Democracy and Electoral Assistance (IDEA) based in Stockholm, Sweden in 2003.

The address, contact details and website of IDEA are: International IDEA, Stomsborg, SE-103 34 Stockholm, Sweden. Tel: 46 8 698 3700, Fax: 46 8 20 24 22, email: [info@idea.int](mailto:info@idea.int); website: <http://www.idea.int>.

This particular excerpt is taken from Chapter 1 of the handbook, the title of the Chapter is: “Reconciliation: an Introduction”, written by David Bloomfield.

For a more comprehensive portrayal of the subject, students are advised to visit the website of IDEA. However, the content of the lecture and the handout, along with references to the reading list should give students an adequate appreciation of the subject of the lecture.

**The Process of Reconciliation**

Reconciliation means different things to different people. Its significance varies from culture to culture, and changes with the passage of time. To get a grip on the concept, four basic questions are pertinent:

What?  
Who?  
How?  
When?

**2.1 What is Reconciliation?****2.1.1 Ideally**

Ideally, reconciliation prevents, once and for all, the use of the past as the seed for renewed conflict. It consolidates peace, breaks the cycle of violence and strengthens newly established or re-introduced democratic institutions.

As a backward-looking operation, reconciliation brings about the personal healing of survivors, the reparation of past injustices, the building or rebuilding of non-violent relationships between individuals and communities, and the acceptance by the former parties to a conflict of a common vision and understanding of the past. In its forward-looking dimension, reconciliation means enabling victims and perpetrators to get on with life and, at the level of society, the establishment of a civilized political dialogue and an adequate sharing of power.

**2.1.2 In Practice**

In practice such all-encompassing reconciliation is not easy to realize. The experience of a brutal past makes the search for peaceful co-existence a delicate and intricate operation. Reconciliation is not an isolated act, but a constant readiness to leave the tyranny of violence and fear behind. It is not an event but a process, and as such usually a difficult, long and unpredictable one, involving various steps and stages. Each move demands changes in attitudes (e.g. tolerance instead of revenge), in conduct (e.g., joint commemoration of all the dead instead of separate, partisan memorials) and in the institutional environment (e.g., integrating the war veterans of both sides into one national army instead of keeping ex-combatants in quasi-private militias).

Above all, the approach must be that every step counts, that every effort has value, and that in this delicate domain even a small improvement is significant progress.

There is a certain danger in talking about reconciliation in terms of strict sequence. The process is not a linear one. At each stage a relapse back into more violent means of dealing with conflicts is always a real possibility. And the stages do not always follow logically after each other in any set order. Nonetheless, they remain essential ingredients for lasting reconciliation.

Three stages

### **Stage1. Replacing Fear by Non-Violent Co-existence**

When the shooting stops, the first step away from hatred, hostility and bitterness is the achievement of non-violent co-existence between the antagonist individuals and groups. This means at a minimal looking for alternatives to revenge. A South African observer, Charles Villa-Vicencio, writes: “At the lowest level co-existence implies no more than a willingness not to kill one another — a case of walking by on the other side of the street”. For some the basis for this step will be war-weariness or the simple but realistic conclusion that killing does not bring the dead back to life, or it may be based on the belief that, as Martin Luther King said, those who do not learn to live together as brothers are all going to perish together as fools. An encouraging thought here is that, even in the midst of the cruelest conflicts, small islands of tolerance and civility always continue to exist – men and women who, through acts of extreme courage, save the lives of people “from the other side”.

The move towards such co-existence requires first of all that victims and perpetrators be freed from the paralysing isolation and all-consuming self-pity in which they often live. This involves the building or renewal of communication inside the communities of victims and offenders and between them. Political and community leaders, non-governmental organizations (NGOs) and religious institutions have a serious responsibility here. They can initiate or sustain programmes for such liberating communications. Or, as symbolic representatives of victims and offenders, they can initiate dialogue if those directly involved are not yet ready to talk.

A second condition is a safe environment. Without a minimum of physical security there is no prospect of any progress along the path to reconciliation. Local and/or international political decision-makers have a crucial role to play at this point. Serious effort must be directed towards establishing the rule of law on equitable and accepted terms.

Conflicts do not disappear with this step in the reconciliation process. Individuals, groups and communities continue to be adversaries, but they agree to disagree and to use less violent means to accommodate old (and new) disputes. One possible way is to exchange private vengeance for retribution by an institution (e.g., a criminal court) which is bound by agreed rules.

### **Stage2. When Fear No Longer Rules: Building Confidence and Trust**

Then, in due course, co-existence evolves towards a relation of trust. This second stage in the process requires that each party, both the victim and the offender, gains renewed confidence in himself or herself and in each other. It also entails believing that humanity is present in every man and woman; an acknowledgement of the humanity of others is the basis of mutual trust and opens the door for the gradual arrival of a sustainable culture of non-violence. In the context of Kosovo, Howard Clark writes: “One can counsel distinguishing between a person and his actions, hating the sin while trying not to hate the sinner; one can also attempt to understand the human weakness of those who were swept away by the tide. However, even when one cannot forgive, there are some minimum standards below which one should not sink: social reconstruction demands respecting the rights of those one detests. This respect is in itself an assertion of one’s own humanity”.

Another product of stage 2 is the victim’s capacity to distinguish degrees of guilt among the perpetrators – to disaggregate individual and community. This is an important move in destroying atrocity myths, which keep alive the idea that all the members of a rival group are actual or potential perpetrators. Courts of law can make a difference here: their mission is precisely to individualize guilt. Traditional justice mechanisms often

create similar opportunities. In October 2001 the population of Rwanda elected more than 200,000 lay judges who oversee some 10,000 gacaca tribunals, a society-rooted institution where individuals' guilt in the 1994 genocide will be publicly discussed.

For trust and confidence to truly develop, a post-conflict society has to put in place a minimum of functional institutions – a non-partisan judiciary, an effective civil service and an appropriate legislative structure. It is this condition that links a reconciliation policy to the many other tasks of transition from violent conflict to durable peace.

### **Stage3. Towards Empathy**

Empathy comes with the victims' willingness to listen to the reasons for the hatred of those who caused their pain and with the offenders' understanding of the anger and bitterness of those who suffered. One way to make this possible is the work of truth commissions, sifting fact from fiction, truth from myth. In addition, such commissions may lead to an official acknowledgement of the injustice inflicted. Truth-telling is also a precondition of reconciliation because it creates objective opportunities for people to see the past in terms of shared suffering and collective responsibility. More important still is the recognition that victims and offenders share a common identity, as survivors and as human beings, and simply have to get on with each other. In some cases, the parties in the conflict will seek and discover meeting points where partnership appears more sensible than sustained conflict. Common interests may be found in roles and identities that cross former lines of division, such as religion, gender and generation – or region, as in the case of the Burundian province of Ngozi, where Hutu and Tutsi are collaborating closely in an attempt to improve the prospects of their region, thus transcending the divisions of the past. Economic concerns too may inspire such bridging activities, as they do in Kosovo, where Albanian trade unionists and a Serbian workers' movement have established post-war contract.

Empathy does not necessarily lead to a fully harmonious society or to national unity. Conflicts and controversy are part and parcel of all human communities. Moreover, empathy does not exclude the continuation of feelings of anger. Nor does it require that the victim be ready to forgive and forget. Pardoning the offenders will, of course, broaden the basis for empathy, but for many victims it may be too distant, or too sudden, a goal and to pursue it relentlessly may result in any abrupt and early end to the entire reconciliation process. At this stage it may be unjust to ask victims to forgive if perpetrators refrain from expressing regret and remorse, as has been the case in Argentina, Chile and Guatemala.

Accompanying the Three Stages: Introduction of the Codes of Democracy and a Just Socio-Economic Order. Peaceful co-existence, trust and empathy do not develop in a sustainable way if structural injustices in the political, legal and economic domains remain. A reconciliation process must therefore be supported by a gradual sharing of power, an honouring of each other's political commitments, the creation of a climate conducive to human rights and economic justice, and a willingness among the population at large to accept responsibility for the past and for the future – in other words, reconciliation must be backed by the recognition of the essential codes of democracy.

There are many examples of societies where reconciliation has remained hollow or unfinished precisely because one side of a previous divide refused, consciously or unintentionally, to acknowledge this need for democracy. Zimbabwe's recent history is a frightening demonstration of what happens when this is the case. Zimbabwe was for many years acclaimed as a model of reconciliation between blacks and whites after long-lasting colonial rule and a bloody military conflict. But thorough going economic justice has not been achieved. It is widely believed that the end of the policy of reconciliation is partly based on and backed by a general disappointment among large sections of the black population who see that the economic disparities between Africans and white settlers have not disappeared.

#### **2.1.3 What Reconciliation Is Not**

The use of the term "reconciliation" in dealing with past human injustice is not without its dangers. The interpretation of the concept is contested, and there are many erroneous notions of what reconciliation is. (See section 1.2 clarifications of the definitions of reconciliation).

In a political context, those who want nothing done may cynically plan reconciliation merely as a smokescreen. Victims, on the other hand, may perceive and condemn it as a code word for simply forgetting. For those who have to live with their own pain and trauma, the term is indeed extremely sensitive. As a victim of apartheid told the South African Truth and Reconciliation Commission (TRC), “Reconciliation is only in the vocabulary of those who can afford it. It is non-existent to a person whose self-respect has been stripped away and poverty is a festering wound that consumes his soul”. A general feeling among black and coloured South Africans is that the discourse on reconciliation has pressured them towards a premature closure with the past.

A second source of misunderstandings is that the people of a post-conflict society are sometimes forced to be impatient, as if co-existence, trust and empathy can come swiftly. Such timing, — expecting too much too soon, especially if it is proclaimed as official policy – is doomed to fail. Reconciliation must be seen as a long-term process that may take decades or generations. Reconciliation based on ambiguity will not last. The notion and its interpretation must be publicly discussed. Here lies a task for the authorities, the media, schools and civil society in its broadcast shape – NGOs, advocacy groups, religious institutions and so on. The need for peaceful co-existence, trust and empathy must be internalized before any effective policy can be set in motion. Such society-wide debate will have to take into account that genuine reconciliation is much more than rebuilding relationships between former enemies, or between victims and perpetrators.

## **2.2 Reconciliation: Who is Involved?**

Co-existence, trust and empathy develop between individuals who are connected as victims, beneficiaries and perpetrators. This is reconciliation at the interpersonal level. That is, for example, what happens when the victim is willing to shake hands with the torturer who inflicted their pain? Many initiatives in the area of healing (for example, medication) take this route towards reconciliation. However, all the steps in the process also entail the reconciling of groups and communities as a whole. Each perspective, the interpersonal and the collective, has its own chemistry but they are equally important in the process.

Individual victims and perpetrators are at the heart of all reconciliation activities. However, both categories embrace many more persons and groups than those who are directly involved in acts of political, ethnic or religious violence. The definition of victim hood as it is used in chapter 4, includes family members, neighbours and even friends of direct victims, all of whom may have been traumatized by what they have experienced or witnessed.

**LESSON 36****“OIL AND BEYOND”**

**Note:** In lecture # 36 we have examined the excessive and unhealthy dependence of contemporary civilization on the consumption of fossil fuels, specially oil and the limited prospects for continued availability of oil after 2040. In fact, the production of oil is estimated to reach a peak in about 2008-2010 after which there is little likelihood of finding the size of oil deposits which were discovered in the 20<sup>th</sup> century. A new urgency will have to be placed on the development of alternative fuel sources, the investment for which is not at all adequate at present.

While the ostensible concerns that shape the debate and discussion on oil resources appears to be, and to some extent, actually is part of the vital subject of the future of the energy sector in humanity's own future, this subject is part of a larger question. This question concerns the conflict between or the co-existence of major nation-states such as the U.S.A. and China, and groups of nation-states such as the European Union.

The text of this handout comprises the chapter titled: “Battle of the Titans” from the book: “The Final Energy Crisis” edited by Andrew McKillop with Sheila Newman, published by Pluto Press, U.K., 2005.

This material is relevant for students to study both lecture #36 as background and geo-politically important material as well as for lecture #38 concerning: “Emerging trends in international affairs”.

**LESSON 37****“PAKISTAN’S FOREIGN POLICY”**

Text of **handout** for students

**Note:** Background material relevant to the subject of this Lecture is abundantly available in several books recommended in the reading list for the first 9 lectures and for this lecture as well.

The verbal content of the lecture, the PPTs and the daily news media provide a relevant contextual framework. To enable students to appreciate the direct and vital linkage between foreign policy and security policy, and to refer to the post-9/11 situation, students are advised to note the principal elements listed in the text of this handout placed below.

The text comprises some sections of Research Paper No.2 prepared by the South Asian Strategic Stability Unit, Department of Peace Studies, and University of Bradford, U.K. by Shabana Fayyaz. The editors of the research papers are Shaun Gregory and Maria Sultan. The South Asian Strategic Stability Unit is being supported by the International Institute for Peace and Conflict Resolution of the National University of Sciences & Technology, Rawalpindi-Islamabad. The lecturer is the Honorary Chairman of the International Institute for Peace and Conflict Resolution.

While the research paper from which this handout is derived is not a full-scale study of all the pertinent dimensions, the content highlights the main issues for students in a concise and easily absorbable manner.

The research paper was published in August 2005 by The South Asian Strategic Stability Unit and is titled: “A break from the past: Trends in Pakistan’s Security Policy after 9/11”.

Students are advised to visit the website <http://www.brad.ac.uk>.

**LESSON 38****“EMERGING TRENDS IN INTERNATIONAL AFFAIRS”**

Text of **handout** for students

Note: The text of this handout provides students with the opportunity to read a part of a remarkable book which is a most thoughtful and pertinent exploration of the real factors and forces that are shaping international affairs in the 21<sup>st</sup> century.

The excerpt titled: “Surplus imperialism, war without end” is chapter 7 from the book titled: “Empire of Capital” by Ellen Meiksins Wood, published by Verso, London & New York, 2003/2005.

Reference to the comments and brief description of the book in its paperback version indicates the quality of analysis contained in this unusual study:

“Capitalism makes possible a new form of domination by purely economic means, argues Ellen Meiksins Wood. So, surely, even the most seasoned White House hawk would prefer to exercise global hegemony in this way, without costly colonial entanglements. Yet, as Wood powerfully demonstrates, the economic empire of capital has also created a new and unlimited militarism.

By contrasting the new imperialism to historical forms such as the Roman and Spanish empires, and by tracing the development of capitalist imperialism back to the English domination of Ireland and on the British Empire in America and India, Wood shows how today’s capitalist empire, a global economy administered by many local states, has come to spawn a new military doctrine of war without end, in purpose or time.

“A splendid book” - Eric Hobsbawm, eminent historian. ‘A thought-provoking genealogy of empires throughout history’ – Publishers’ Weekly.

Ellen Meiksins Wood is the author of several books, including Democracy against Capitalism and, with Verso, The Retreat from Class (which won the Deutscher Prize), Peasant-Citizen and Slave, The Pristine Culture of Capitalism and The Origin of Capitalism.

**LESSON 39****“GLOBALIZATION OF MEDIA”**

Text of **handout** for students

**Note:** There is perhaps no better way for students to appreciate the nature of modern media and the nature of contemporary globalization than to carefully read the text of this handout.

The content comprises the first 2 chapters of the book titled: “Understanding Media” by Marshal McLuhan who, in the opinion of this lecturer, was the first philosopher of electronic media. He was a professor of English literature in Canada and at the same time had profound and brilliant insights into the core truths of new media and of instant global communication.

While formulating pioneering concepts such as: “the global village” and “the medium is the message”, McLuhan set the scene for study and reflection upon the subject of the lectures from No.39 to No.45 in such a superbly insightful way that the observations contained in the 2 chapters establish the foundation for students to develop their own exploration of this fascinating realm.



**“GLOBALIZATION AND INDIGENIZATION OF MEDIA”**

Text of **handout** for students

**Note:** The technology of digitalization has revolutionized media and communication by compressing content and completely changing the speed and method of transmission.

10 years before 2005, and 5 years before the start of the 21<sup>st</sup> century, in the year 1995, when the Internet had just begun to gather momentum, a visionary thinker and technologist named, Nicholas Negroponte, Professor of Media Technology at MIT, is also Founding Director of the Media Lab wrote a book titled: “Being digital”, published by Vintage Books, Random House, New York, U.S.A.

The significance of this book with regard to the globalization and the indigenization of media is well-reflected in the comment by the New York Times Book Review about this book: “To read Being Digital is to enter the future it describes...It flows from the pen (or cursor) of a wizard who is himself helping to create the new cosmos toward which we are hurtling.”

The concluding chapter of this book is offered to students both as a way to whet their appetite to read the entire – if they can get a copy! – or to explore the Internet for further material by the same author and in order to show how far-sighted and accurate projections on new media development can prove to be when they are made by persons who study their subject with great commitment and interest.

**LESSON 41****“BALANCING PUBLIC INTERESTS AND COMMERCIAL INTERESTS”**

Note: The text of the handout for this lecture is taken from the book titled: “Satellites over South Asia: Broadcasting, culture and the public interest” by David Page and William Crawley published by Sage Publications, New Delhi, India, 2001.

The excerpt is from chapter 10 of the book titled: “Redefining the public interest”.

**LESSON 42****“CITIZENS’ MEDIA AND CITIZENS’ MEDIA DIALOGUE”**

**Note:** The tendency is to associate the term: “globalization of media” with media such as Hollywood movies, CNN, BBC and the Internet which cover the globe in a uniform way or instantly or on a large-scale.

However, as students will note, after lectures 39 and 40 in which the basic aspects of the globalization of media were covered, the focus of our lecture no. 41 was the need to balance public interest with commercial interests.

Now, in lectures 42, 43 and 44, the focus will shift to the role, rights and responsibilities of the people of the world, rather than focus only on the media of the world.

This shift in focus is essential in order to ensure that human beings remain the most important concern for evaluating the role of media and communications on a global scale.

As this aspect has evolved only in very recent years, it is vitally necessary for students to be clear about the different meanings and connotations of the new terms and phrases that are becoming part of the discourse and the study of how media are inter-acting with people on a global level in the 21<sup>st</sup> century.

Therefore, the handout for lecture no. 42 provides students with a chapter titled: “Introduction: answers to frequently asked questions” from the book titled: “Citizens’ media dialogue” written and edited by Javed Jabbar for UNESCO, Paris.

The full text of the book including the text of this handout is also available on the website whose text is reproduced in the book.

As already given in the lecture itself, the website is: [www.wiredet.com/cmd](http://www.wiredet.com/cmd).

**Introduction: answers to frequently asked questions****Q-1: What do the terms “citizens’ media” or “community media” mean?**

A: Citizens’ media is a term of relatively recent origin. It refers to media which are influenced by citizens, media that serve the interests of citizens (rather than the interests of corporations or Governments or groups with specific interests), media that represent a part of civil society, or civil society as a whole. Citizens’ media embody the best principles and practices of editorially independent public service broadcasting.

While citizens’ media may be seen as authentic alternatives to State-owned or Government controlled media or to media operated by corporations or groups securing profit or financial benefit from media, citizens’ media may also be seen as **the third category of media** which should exist in addition to the other two types of media i.e. State-owned/Government-controlled and corporate media.

The term “community” is partly covered by the term “citizens’ media”. Community media is a term that describes media which are small in scale, and which are owned and operated by citizens on a not-for-profit basis to exclusively serve the public interest of a relatively small community e.g. a cluster of villages or small settlements, or a small town or a city, or parts of a city.

Whereas citizens’ media should preferably have a fairly high degree of professional competence and content quality, community media need not necessarily employ well-qualified technical specialists to produce their content.

In some cases, where required resources are available, citizens’ media and community media may also be able to cover a large area such as a whole province in a country, or the entire country itself. This would be rare. Community media are meant to denote media that cover relatively small-scale, sharply focussed geographical and demographically well-defined areas and populations.

Citizens media and community media on a not-for-profit basis are funded by fees or subscriptions paid by the audiences that they reach or from advertising revenue or from resources voluntarily provided by the initiators/sponsors of a media project, or by philanthropic support from individuals or institutions, or by grants from the State or Government or affiliated institutions, by multilateral aid agencies or a single overseas donor country or by a combination of all or some of the above.

To reiterate: Citizens' media and community media are terms that specifically do **not** include State-owned or Government-controlled media nor do they describe media owned or operated by corporations or groups securing profit or financial benefit of any kind from these media.

**Q-2: What is the process called: “citizens’ media dialogue”?**

A: This term describes two processes:

- i) Dialogue conducted between and amongst citizens about media issues that affect their society, and citizens' interests. Such a dialogue may take place within citizens' forums that have a general interest in social issues or a particular interest in sectoral issues e.g. education, health, human rights etc.
- ii) Secondly, the term is applied to the process of communication between citizens (as individuals, as informal groups or as organized associations) and all types of media, be they State-owned or Government-controlled media, or privately-owned, profit-based media, or citizens' media and community media. The term also covers dialogue conducted through the Internet on website etc.

These two processes of communication are meant to enable citizens to discuss and debate aspects of media which require reform or improvement. These processes are meant to help citizens to articulate directly to those who own, operate or manage media, the views of citizens' on various issues of public concern, and on all aspects of media, and to enable citizens to learn from media owners or media managers about their respective perspectives on these subjects.

The facility provided by media in the form of “letters to the editor” in the case of print media and “phone-in” in the case of electronic media (radio and TV) is not able to provide sustained, detailed or comprehensive exchange of views and is more of a one-off kind of inter-action.

To reiterate: Citizens' media dialogue would be a process to ensure that, at regular intervals, citizens are able to:

- i) Conduct a discussion amongst citizens about media issues
- ii) Meet face-to-face with representatives of media for direct, inter-active discussions and/or engage in written communication/correspondence on media issues.
- iii) Participate in discussion in the websites maintained by radio, TV, newspapers etc.

Dialogue between citizens and media is seen as a process that should become an enduring institutionalised process.

**Q-3: What is meant by the term: “citizens’ media associations”?**

A: This term describes forums specifically created by citizens to afford an opportunity for collective expression of views of citizens on issues of shared concerns deserving of media attention, as well as on media-related issues, from a public interest perspective.

As both the State-owned, Government-controlled media and private, corporate media are, comparatively speaking, well-organized, well-resourced entities, citizens' media associations are meant to reduce the discrepancy that exists between, on the one hand, well-organized media entities and on the other, un-organized, un-coordinated citizens unrepresented in the media space.

The primary objectives of citizens' media associations would include the attempt to create and sustain a dialogue with media; to inform and educate civil society at large on media issues from a public interest

perspective; and to sensitise Governments, legislators, media and opinion-makers and decision-makers on aspects of media with the aim of securing the public interest.

**Q-4: What is “public service broadcasting” (PSB)?**

A: The term public service broadcasting is ideally defined as follows: (Note: in addition to the definitions, explanations and examples placed below, you are also invited to refer to the definitions formulated at the World Electronic Media Forum, December 2003 which are appended later in this text.)

Public service broadcasting is that part of the content of electronic media which seeks to promote the public interest in any given sector of life, be it education, health, basic infrastructure, social justice, freedom of expression, human rights, gender equity, political and cultural rights etc.

Preferred definitions include the following, as quoted:

“Neither commercial nor State-controlled, public service broadcasting’s only *raison d’être* is to offer a public service, a public meeting place where all citizens are welcome and considered equals. Because it is not subject to the dictates of profitability, PSB can contribute to diversifying content sources, giving a voice to other cultures and points of view and promoting tolerance and cultural understanding”.

“Public service broadcasting is a unique concept”. “Although easy to understand”, it is too often misunderstood, sometimes profoundly, sometimes even intentionally. Some languages do not even have a term fully corresponding to the English word “public”, and the closest translation appears to confer the notion of state/government/official... Public service broadcasting (which is anything but “state”, “government” or “official” broadcasting) is made for the public, financed by the public, and controlled by the public”.

“Editorially independent public service broadcasting (PSB) is a unique service providing universal access to information and knowledge through quality and diverse content reflecting the needs and expectations of the various target audiences.”

“PSB should actively seek and encourage the advice of civil society associations in the determination of policies and priorities for programming”.

Public service broadcasting does not directly promote the use of a particular product or service in its programmes nor would public service broadcasting promote a specific political creed or party or ideology except where the intention is to inform and educate audiences about specific creeds in a non-propagandistic basis.

While public service broadcasting should preferably be free of dependence on sponsorship by a commercial, profit-based organization, in case such corporations wish to sponsor and support public service broadcasting as their own contribution to public service, it should be possible to accept such sponsorship as being valid provided there is no relationship of vested interests between the commercial firm sponsoring the public service broadcasting and the content of public service broadcasting. For example, if a pharmaceutical/medical products firm that manufactures syringes offers to support a mass education programme about Hepatitis-C (which can also be spread due to the re-use of old syringes) as part of public service broadcasting, it is a moot point as to whether public service broadcasting will retain a preferred purity, or will inadvertently help promote a particular brand of syringes. This kind of issue does not offer easy, instant or all embracing answers, but may require a case-by-case judgement.

Reference to the word “judgement” brings to mind another kind of example in which a judgement delivered by a High Court may require urgent response by citizens and by media (specially citizens’ media if they exist which, in this case, they do not!) separate and distinct from whether the said judgement is subsequently upheld or over-turned by a Supreme Court of a country or whether the relevant legislature takes action to prevent the judgement from having adverse affects on citizens’ rights.

The case in point: in July 2000, the Government of Pakistan headed by the then Chief Executive (now President) General Pervez Musharraf promulgated a new law known as the Juvenile Justice System Ordinance 2000.

For the first time in the country's history, a law declared that the definition of a child would henceforth be: all human beings below the age of 18. Previously there were variations from province to province and from law to law in the definition of a child's age.

The new law also introduced new provisions to ensure that children convicted of murder would not be liable for the death penalty as in a previous law. (It is estimated that in 2005 there are about 200 children below the age of 18 in various prisons in Pakistan who have received death sentences, which are subject to appeal). The new law also ensured that child prisoners would always be kept separately from adult prisoners, and that special juvenile justice courts would be established to try their cases.

However, in December 2004, the High Court of Punjab province declared that this new law was invalid and that it is being struck down. Amongst the major grounds cited by the High Court were the contention that in several incidents, young adult criminals accused of murder were obtaining false age certificates to show that they were under 18 years of age in order to avoid facing the death penalty; that as girls attain puberty by the age of 13 or 14, they cease to be "children" and therefore cannot be held non-labile for grave crimes. The Court further contended that there are already different provisions in different laws that afford due protection to children.

The judgement of the Punjab High Court was met with strong condemnation by only a few organizations in civil society as the judgement and the issue were reported by the media in a conventional way which gave the impression as if the issue is mainly a legalistic and technical issue, rather an issue of mass public concern or interest.

The actual fact is that the judgement goes to the very core of defining the age of the child, a norm that has now become almost the universal norm of 18 years. The Society for the Protection of the Rights of Children in Pakistan (SPARC) (whose chairman is also the same person who conducted the citizens' media survey for UNESCO and who also was a member of the Cabinet when the law was enforced in 2000!) called an emergency meeting on 8 December 2004 to consider various options of response to the judgement. However, the retrogressive nature of the judgement has yet to become the subject of debate in the mainstream media.

An appeal to the Supreme Court has been filed by SPARC and now awaits a decision by the Court. This issue represents an extremely significant subject which is eligible for substantial coverage by public service broadcasting. Yet neither State-owned or Government-controlled media, nor private, corporate media have so far done justice to the subject.

The situation also highlights the question of whether public service broadcasting should focus on an issue which is "sub judice" i.e. awaiting a decision on appeal before the Supreme Court. One answer is that it is quite valid to use public service broadcasting to inform and educate public opinion and urge action by legislatures, without offence to the Court. It is not possible to recall whether a single well-known Member of Parliament has reacted in any way to-date on this attempt to reverse the rights of children.

It is also doubtful whether any advertiser engaged in providing a product or service would want to become a major sponsor of public service programmes dealing with this issue as association with it may be seen as "contempt of Court", or a defiance of the Government.

Thus, without the benefit of any likely sponsorship or advertising, it becomes a challenge for public service broadcasting to become the custodian of children's rights and citizens' rights. A third example of a somewhat tricky situation that may arise with regard to associating public service broadcasting or public service programmes with a commercial advertiser is when a consumer rights body proves that several brands of cooking oil being openly sold in the shops are unsafe for human health.

In case a certified brand that meets all standards of health and purity is willing to sponsor a public awareness campaign against its own (un-healthy) competitors, should public service broadcasting accept such support from a firm that has, after all, an undeniable self-interest in such programmes?

**Q-5: Why do developing countries need citizens' media or community media?**

A: Whereas the state of media development in advanced countries is such that the number of media units in these countries is very large (e.g. reportedly over 10,000 radio stations in the USA for approximately every 30,000 people, the level of access in developing countries of people to media is comparatively low.

Further, the media sector in developing countries is also dominated by State-owned, Government-controlled media which often exclude a substantive role by citizens in a direct dialogue about major issues or about media's policies.

Civil society in developing countries is also comparatively weak and un-organized, specially so with regard to the ability of citizens to address media, or engage media in dialogue. As it is, even in advanced countries, citizens' media associations are relatively few and under-resourced.

Therefore, the need for citizens' media and community media in developing countries becomes far greater than even in advanced countries in order to enable citizens to express their views about major national issues and about their own local community interests which may not be accommodated in the mainstream media controlled by the State, or by private commercial interests.

Pervading all categories of media should be the concept of editorially independent public service broadcasting. This concept and practice needs to be adopted as a central principle of all media, obliging all communication processes to give appropriate time, space and priority to issues that convey an over-arching relevance to society, viewing society in a holistic manner, over-riding sectoral or parochial perspectives.

**Q-6: Why was a survey conducted by UNESCO?**

A: The aim of the Communication Development Division of UNESCO in conducting the survey was to obtain an understanding about the prevailing conditions in a representative sampling of developing countries in respect of existing, or desired levels of dialogue between citizens and independent electronic media with particular reference to public service broadcasting. It is intended to use the findings from the survey to offer support to existing citizens groups or to those who wish to form new groups to strengthen citizens' media associations and in order to enhance the standards of public service broadcasting.

**Q-7: Who conducted the survey?**

A: The founding convenor of the Citizens' Media Commission of Pakistan, Javed Jabbar was invited by UNESCO to conduct this survey.

Ms. Shehrezad Samiuddin who is a regular writer with an interest in social issues and communication issues help conduct the survey as Research Coordinator.

Other individuals associated with the work of the survey include: Ms. Jehan Ara, Chief Executive, Enabling Technologies, and Karachi, a leading specialist in IT who is also President, Pakistan Association of Software Designers and is responsible for designing the website. Attaullah Khan, office secretary of the Commission helped prepare the manuscript of the survey and texts.

**Q-8: How can this output from the survey benefit citizens in developing countries?**

A: Citizens in developing countries have, through this survey and its website, access to model statutes and other background information for the formation of citizens' media associations. The report summarizing the survey seeks to help expand and deepen the process of engagement of people with media on issues of public interest.

Visitors to this website can also access names and contact details of organizations in developing countries as well as in advanced countries that have affirmed an active interest in public service broadcasting and in citizens' media initiatives with regard to maintaining a dialogue with media.

**Q-9: Is the output of any relevance to citizens in advanced countries?**

A: For citizens of advanced countries with an interest in media and in public service broadcasting in general, the results of the survey and the related material available on the website offer information and analysis that will enable expansion of the inter-action between citizens in advanced countries and citizens in developing countries. In an increasingly globalize world, this expanded inter-action can help improve international understanding and co-operation.

**Q-10: How can I get involved in citizens' media activities?**

A: Any person with an interest in the issues of citizens' media, citizens' media dialogue, public service broadcasting and related matters can:

- a) Either persuade an existing civil society organization of which he or she is already a member to create a new unit or section to deal specifically with issues relevant to media.
- b) Or help mobilize a small, or a large group of like-minded citizens to create a new forum that would be a citizens' media association to exclusively address media issues.
- c) Or as an individual, who wants to remain only occasionally involved, use the website and contribute to public discourse through the mainstream media, through the internet and through other means to promote the ideas and ideals identified in respect of public service broadcasting and the public interest.



**LESSON 43****“CITIZENS’ MEDIA RIGHTS AND RESPONSIBILITIES”**

Note: As students will have noted, the verbal content of lecture no. 42 and the PPTs provide the conceptual basis for, and the actual text of 11 citizens’ media rights and 11 citizens’ media responsibilities.

For the convenience of students, the relevant text of these rights and responsibilities with a preliminary note, is being reproduced as the first part of this handout.

When students have noted this new concept of citizens’ relationship with media, the intention of lecture 43 is to also, hopefully, motivate students to themselves, or encourage members of their families, or friends, or colleagues, now, or later in their lives, to form new kinds of voluntary civil organizations known as “citizens’ media associations”.

Therefore, to help them in this regard, the second part of this handout reproduces the chapter titled: “creating citizens media forums” from the book titled: “Citizens’ media dialogue”, written and edited by Javed Jabbar, and cited previously in the handout for lecture no. 42.

In this second part of the handout, three different options for forming citizens’ media forums are described in ways that are possible to follow and implement in the conditions of Pakistan.

The text of this chapter is also available on the website whose content is reproduced in the book: “Citizens’ media dialogue”.

The website is: [www.wiredet.com/cmd](http://www.wiredet.com/cmd).

A formulation first presented by Javed Jabbar, at the Asian Media Summit, organized by the Asia Pacific Institute for Broadcasting Development, with the support of UNESCO Kuala Lumpur, Malaysia, 18-21 April 2004

The concept of universal human rights has evolved steadily throughout human history. Prophets and philosophers, religions and political systems, scholars, leaders and citizens have contributed to the process by which the Universal Declaration of Human Rights was eventually adopted on 10th December 1948 at the United Nations.

Contextual rights that are specific to categories of human beings such as children or to sectoral groups such as industrial workers have also evolved, but are at varying levels of evolution and enforcement.

The growth of mass media in the 20th century and the emergence of new media in the 21st century focus attention on the need to examine the context of citizens’ rights with regard to conventional media as well as new media. Media include: print, radio, TV, cinema, cable TV distribution systems, audio tapes, video, Internet, CDs, DVDs, cell phones/sms/and spin-offs.

Media have assumed a position that is unprecedented in human history. They serve as valuable means for the articulation on a mass scale of popular aspirations and problems, of entertainment and pleasure, of advertising and economic information, of shared strengths as well as weaknesses.

Media appear to exert enormous power which, in the name of freedom of expression, also remains largely unaccountable. Principal media have their respective codes of conduct and there are also several official laws and rules that regulate these media. But these parameters do not reflect on a comprehensive basis the need to view the role of media from the most important perspective: that of the citizen.

Compared to corporate media and State media, the single citizen, and even groups of citizens’ are weak and under-resourced. At the same time, citizens also have obligations to support and strengthen media independence.

Towards articulating a framework for the empowerment of citizens, and for rendering their own duties to media, an attempt has been made to identify 11 rights of citizens and 11 responsibilities of citizens in the context of media in general.

Comments and proposals are invited for improving upon the formulation of these rights and responsibilities. The aim is to enhance the people's capacity to effectively address their relationship with media for the goal of building a just and equitable global society.

**(Citizens' rights in the context of media in general)**

- 1) All citizens, indeed all human beings including children, youth, adults and senior citizens should have convenient access to all media, such access being subject to just and fair law, and universally recognized principles of human rights.
- 2) Citizens should be able to choose between options within each medium rather than be dependent on only one source or medium.
- 3) Citizens should be able to receive media content which is reasonably balanced between news/analysis/programming content and advertising content.
- 4) Citizens should have convenient access to information about identities of persons and organizations in regard to media ownership, management control of media, sources of funding of media and on other financial aspects of media.
- 5) Citizens should have fair and convenient access to independent and credible mechanisms which enable media to be held accountable for accuracy, fairness and balance without such monitoring and accountability mechanisms unduly restricting freedom of expression of media.
- 6) Citizens have the right to access all media at reasonable, and preferably low cost.
- 7) Citizens have a right to be given appropriate time and space in media directly or indirectly without charge in case media content is inaccurate, misleading or defamatory about a citizen or the community to which a citizen belongs.
- 8) Citizens should have the right to own and operate non-profit public service media without being obliged to pay auction based license fees.
- 9) When citizens address letters or complaints to media about aspects of media content they should receive acknowledgements/replies from media, if the letters/complaints are conveyed in appropriate language.
- 10) Citizens have the right to know how the media content they are being exposed to, is being presented in other parts of the country, the region, or the world, through other editions or versions of the same media.
- 11) Citizens, particularly youth and children, have the right to be imparted media literacy and be informed on media issues as part of their general education.

**(Citizens' responsibilities in the context of media in general)**

- 1) Citizens should help to ensure that all media function freely as per the laws of the country in which the media are based and that media are allowed to similarly function freely across regions, and across the globe. Where laws are unjust or unduly restrictive, citizens should campaign to change and improve media laws.
- 2) Citizens should actively support and demand pluralism in media.

- 3) Citizens should also originate content and contribute to media content, and not remain passive consumers of media output.
- 4) Citizens should monitor media ownership and cross media ownership to prevent undue concentration of media power e.g. of State power or corporate power.
- 5) Citizens should create and operate civil society forums that serve as independent bodies to monitor media policies, practices and content and to analyze media issues from a public interest perspective.
- 6) Citizens should fulfill their financial obligations to media by observing copyright of media content and by respecting intellectual property rights and thereby, citizens should reject purchase, or use of pirated materials.
- 7) When citizens use media or appear in media, they should promote truth and accuracy, rather than disinformation and distortion.
- 8) Citizens should initiate and operate or support citizens' media that are exclusively focused on the public interest and which help balance the dominance of corporate media and State-controlled media.
- 9) Citizens should help protect media and media practitioners from physical violence or coercion.
- 10) Citizens should operate citizens'-controlled or citizens'-driven media such as the internet, cell phones, sms and other new media by giving primacy to the values of friendship and fraternity amongst all people, to help build peace, tolerance and harmony.
- 11) Citizens should campaign for inclusion in school and college curricula and in other educational materials, of information on media issues to prepare young people to effectively address their citizens' media rights and responsibilities.

In December 1997 a small group of concerned citizens met in Islamabad and formed the Citizens' Media Commission of Pakistan with the former Chief Justice of Pakistan Dr. Nasim Hasan Shah as Chairman and Mr. Javed Jabbar former Information Minister of Pakistan as Convener. Its aims are stated separately. From 1998 to 2004, the Commission has functioned as an informal body which has nevertheless functioned as an advocacy group and has focused on observing 14th February of each year as "electronic media freedom day". It has also published 3 monographs on aspects of media and has monitored media issues.

The draft of these 11 citizens' media rights and 11 citizens' media responsibilities was prepared in April 2004 without prior reference to the text of the "people's communication charter", a document that is placed on the website: <http://www.pccharter.net/charteren.html> last modified on 22nd December 1999.

While this charter is a relevant point of reference, the formulation of: "citizens' media rights and responsibilities" has its own separate specificity and validity. For instance, the "people's communication charter" makes no reference at all to citizens' own obligations in regard to media.

Now in 2005 and onwards, to disseminate the concept of citizens' media rights and responsibilities at the grass roots level, to encourage inputs to the draft of this framework, and to build public opinion in favour of formalization of these rights and responsibilities, it is necessary to enlist the participation of concerned citizens, of existing public interest and civil society organizations which are already working with communities across the country and to form local, community-based chapters of the Citizens' Media Commission. All constructive initiatives are encouraged and welcomed. Comments from overseas countries are also invited.

For further details, please contact the founding convener of the Commission at: [javedjabbar@hotmail.com](mailto:javedjabbar@hotmail.com) or [javedjabbar2005@yahoo.com](mailto:javedjabbar2005@yahoo.com) or through <http://www.citizensmediapak.org>

### **Creating citizens' media forums:**

Options

#### **Formation of Groups, Forums, Associations**

Formation of groups, forums, associations, or organizations representing viewers and listeners in support of pluralistic and editorially independent electronic media in the developing countries.

There are three options for the formation of such groups.

### **Option A:**

Forming units within existing bodies who should use this option?

This option can be used where active civil society organizations already exist in sectors such as human and consumer rights, professional associations (of architects, lawyers, engineers, teachers, etc.) and where they already possess a credible track record in advocacy.

### **The option:**

New units should be formed within the existing bodies. These will focus specifically on issues related to public service broadcasting, to engage in dialogue with pluralistic and editorially independent electronic media and, where necessary, to also engage with the government and regulatory authorities in this context.

### **Advantage of the option**

This option has the advantage of a readymade, well-established platform that, with minimal resources will enable a new, media-specific unit to initiate, and to sustain its work, at least in the short term.

### **Disadvantage of this option**

The disadvantage with this option is one of preconceived notions. Existing civil society organizations may have a prior, defined identity or perception about their aims and their agenda. They may also already be “controversial” organizations situated in a confrontationist or a “negative” relationship with other segments of the society, the state, or even the media.

A “prior” specific, negative identity or profile may adversely affect the ability of the new, media-specific unit to develop its work and credibility.

## **OPTION B:**

### **Forming a New Association**

Citizens who want to focus exclusively on the role of media and are willing to create an association for this specific purpose. Once they have decided to do so, the next step is to choose between different kinds of organizations i.e. societies, social welfare bodies, trusts, not for profit joint stock companies, etc. They should then apply for and obtain formal registration under the laws and rules of the country.

## **OPTION C:**

### **Forming an Informal Network**

#### **Who should adopt this option?**

Citizens who want to function as an informal network of individuals and groups that share an interest in pluralistic media, in public service broadcasting and in dialogue with media and which works together to achieve common goals.

### **The disadvantage & advantage of this option**

While this option has the disadvantage of not being subject to a formal process of registration and review, its informal nature also offers the advantage of the capacity to respond speedily to new situations instead of waiting for formal procedures to be observed. This format also offers operational flexibility and the ability to mobilize diverse sources of support that do not otherwise want to become formally associated with a specific media group over a long period of time.

### **Eligibility for Membership**

#### **Option A:**

Membership for all citizens with interest in Media issues

With this option, the organization may take an open-ended approach, in that membership is open to all citizens with an interest in media issues. These would include media practitioners – those directly associated with electronic media, even media proprietors and senior managers provided that they do not constitute a majority of the members.

While allowing media practitioners to become members of citizens' media association may sound contradictory and risky, such members may prove to be useful. They bring with them a specialized, relevant, in-house expertise \_ and sometimes even "insider" knowledge! \_ which may subsequently become available to the citizens' media group.

However, there is also the disadvantage of direct conflict of interest because those professionally associated with media and dependent on media for their income may not be able to view the role of media with the independence and impartiality required to give credibility to the views and policies of the citizens' media group.

### **OPTION B:**

#### **Exclusive Membership**

This would be the exclusivist option by which membership would be open to only those citizens who do not have any direct association with electronic media as employers or employees, managers or practitioners.

By ensuring that only citizens outside electronic media are viewing the media's role, citizens' media groups automatically acquire a credible status at their inception.

### **Option C:**

#### **Categorizing Membership**

##### **Category 1**

Members with voting rights and full participation rights for citizens who do not have any direct professional relationship with media.

##### **Category 2**

Members without voting rights who could comprise associate members to include citizens with a direct relationship with the media. Their presence in the citizens' bodies would help to provide a specialist media perspective to the other members.

#### **Office Bearers**

While merit and competence should be amongst the determinant criteria to elect/nominate office-bearers, consideration should also be given to inviting a person of high eminence in a country to accept the chairmanship of a citizens' media association as his/her relationship with the forum brings exceptional value, credibility and recognition.

For instance: the fact that the chairman of the Citizens' Media Commission of Pakistan is the former Chief Justice of the Supreme Court of Pakistan has given this forum a notable degree of public and media recognition and the Commission's meetings and observations are normally given wide coverage by media.

#### **Transparency and accountability**

Transparency and accountability are ensured through publication of regular annual or periodic reports that contain relevant details of the organization's activities such as its fund management, and the use of its other resources. Thus the citizens' media association should be able to ensure accountability and transparency.

By circulating such reports to the government, the media, the members and the general public, the association would set an example for the media at large to emulate. This is especially important because in developing countries, even when media have made a positive contribution in the field of public service broadcasting, they are not necessarily transparent about themselves. For instance it is a rare instance where media will acknowledge the size of their audience (viewers, listeners, readers) in order to ensure that these figures, if lower than advertisers', estimates or expectations, do not adversely affect their advertising revenue.

#### **Size of Group**

##### **Option A:**

##### **Unlimited Membership**

A literally logical approach to citizens' participation would be that as electronic media continue to reach out to larger and larger numbers of people, so too should any group or association representing viewers and listeners attempt to maximize its membership. If the media reaches millions of people, then such associations should attempt to comprise at least thousands of members.

While this option does ostensibly offer the advantage of attempting to be numerically representative in terms of scale, the practical difficulties also immediately suggest themselves.

Unless there is an incentive or reward system, there would be very limited motivation on the part of thousands of citizens to become members of new forums. The average citizen is already preoccupied with several options competing for his/her time and attention.

If such forums are able to attract members in thousands, the task of managing a large number of members would require significant logistical resources. This requirement however would dilute and distract from the real objective of forming such bodies.

Nevertheless, in theory, as the numbers-based option, Option A needs to be noted for the record.

### **Option B:**

#### **Representative Membership**

To assemble a group of about 30 to 40 individuals in a city, or in rural or urban districts, that represent principal professional sectors as well as representing a balance of gender, age, and, where applicable, ethnic and linguistic features of the population in an area.

Such groups would symbolically as well as substantially represent the different categories and classes of citizens who maintain regular contact with media and take more than a normal interest in media issues.

### **Option C:**

#### **Small Groups**

To assemble a group of up to 10 people who are a tightly-knit, highly cohesive, well-disciplined and sharply focused team. This team would be clear about its mission and would work single-mindedly over a period of time. They would not be restricted by the difficulty associated with managing large numbers of people, unhindered by dealing with diverse opinions and contrasting perspectives, and possible clashes of personalities within the group. As such they would be able to work with intensity and make an impact. Such a small group could be termed as a collective version of the singular character of Ralph Nader of the USA who, over a period of about 40 years, has remained a relentless champion of consumer interests in the USA.

### **Mode of Governance**

#### **Option A:**

##### **Elective Mode**

In keeping with globally preferred norms of democracy, the forum adopting an elective mode should follow the process of formal election of its representative office bearers, regardless of its size. Experience suggests that a one-year term is too short to allow the representative to be productive and have an impact. Therefore it is suggested that a 2-year term would be ideal. The office bearers would then serve in their respective capacities as president, vice president, secretary, treasurer, etc., each with conventionally defined areas of responsibilities.

The number of terms that each office bearer can serve consecutively may be limited to two consecutive terms. Limiting the number of terms for office bearers (as recommended by Voice of the Listener & Viewer, UK), has the advantage of encouraging new leadership to emerge and of discouraging prolonged and personalized leadership. However a limit of two consecutive terms also brings with it the disadvantage of enabling discontinuity in momentum and direction. Even as an association retains its long-term aims, a change of personality occupying a certain position can often result in a change of emphasis or shift in priorities that is not always in the best interest of the cause being pursued.

#### **Option B:**

##### **Consensual Nomination Mode**

This option would only apply to a group whose size does not exceed 8 to 10 people.

A compact group of about 8 to 10 people need not necessarily rotate leadership out of the obligation for periodic change for the sake of change alone. If there is a high level of trust and respect for each other, a small group can permit and support the same people from amongst the group to continue with the tasks they are best suited to render.

Equally, the rotation of office within such a small group is not subject to the competitive, wasteful, often acrimonious partisanship that marks elections in forums where the number of members exceeds 40 to 50 people. To be a non-elective forum is not necessarily to be non-accountable or non-transparent. Given the values of integrity and sincerity of purpose in a small and dedicated group it is possible to ensure that high ethical standards of conduct are maintained.

The remaining part of this particular text, comprising possible aims and objectives of new citizens' associations of viewers and listeners, guidelines on how to obtain funding, observations on formulating model statutes/constitutions and a background note are available on the website cited earlier.

**LESSON 44****“CITIZENS’ PARTICIPATION IN PUBLIC SERVICE BROADCASTING”**

Note: The text of this handout provides students with:

- 1) Definitions of the term: “public service broadcasting”
- 2) Observations made by Ms. Jocelyn Hay, founder of the “Voice of listeners and viewers”, UK who has led the movement to empower citizens in their relationship with media and has contributed to establishing the basis for exchange of views and data between people and media systems.

The text of this handout is taken from the book titled: “Citizen’s media dialogue” written and edited by Javed Jabbar and whose material is also available on the website: [www.wiredet.com/cmd](http://www.wiredet.com/cmd).

Students are encouraged to continue to take an active interest in sustaining, improving and strengthening the process by which people are able to analyze media issues from an independent public interest perspective.

Students need to remember that people, human beings, citizens are the most important and the most powerful factors in the world. It is people who create and operate media as well as governments.

Students in particular, who represent the best hopes for the future of Pakistan and the future of our world need to always act with courage, integrity, understanding and respect for justice. Citizens should never be over awed or over whelmed by power and force. Ideas and ideals that promote truth, justice, balance and human well-being should always be promoted and practiced.

As we approach the conclusion of this course with lecture no.45 and as we stand on the threshold of new times, students and our youths have an enormous responsibility to ensure that the media policies of the government, the commercial interests of the corporate sector and the conduct and content of the media conform to the ideas and ideals we have referred to above.

Each single student, like each human being, has vast potential for exerting decisive moral power that is more substantive and enduring than material or media power.

Excerpts are reproduced below:

**Public Service Broadcasting****Definitions**

One of the definitions of “public service broadcasting” is: it is that part of the content of electronic media which seeks to promote the public interest in any given sector of life, be it education, health, basic infrastructure, social justice, freedom of expression, human rights, gender equity, political and cultural rights etc.

Public service broadcasting does not directly promote the use of a particular product or service in its programmes nor would public service broadcasting promote a specific political creed or party or ideology except where the intention is to inform and educate audiences about specific creeds in a non-propagandistic basis.

While public service broadcasting should preferably be free of dependence on sponsorship by a commercial, profit-based organization, in case such corporations wish to sponsor and support public service broadcasting as their own contribution to public service, it should be possible to accept such sponsorship as being valid provided there is no relationship of vested interests between the commercial firm sponsoring the public service broadcasting and the content of public service broadcasting. For example, if a pharmaceutical/medical products firm that manufactures syringes offers to support a mass education programme about Hepatitis-C (which can also be spread due to the re-use of old syringes) as part of public service broadcasting, it is a moot point as to whether public service broadcasting will retain a preferred purity, or will inadvertently help promote a particular brand of syringes. This kind of issue does not offer easy, instant or all embracing answers, but may require a case-by-case judgment.



(Note: in addition to the above definition, other definitions formulated at the World Electronic Media Forum, December 2003 are appended later in this text.)

Preferred definitions include the following, as quoted:

“Neither commercial nor State-controlled, public service broadcasting’s only *raison d’être* is to offer a public service, a public meeting place where all citizens are welcome and considered equals. Because it is not subject to the dictates of profitability, PSB can contribute to diversifying content sources, giving a voice to other cultures and points of view and promoting tolerance and cultural understanding”.

“Public service broadcasting is a unique concept”. “Although easy to understand”, it is too often misunderstood, sometimes profoundly, sometimes even intentionally. Some languages do not even have a term fully corresponding to the English word “public”, and the closest translation appears to confer the notion of state/government/official... Public service broadcasting (which is anything but “state”, “government” or “official” broadcasting) is made for the public, financed by the public, and controlled by the public”.

“Editorially independent public service broadcasting (PSB) is a unique service providing universal access to information and knowledge through quality and diverse content reflecting the needs and expectations of the various target audiences.”

“PSB should actively seek and encourage the advice of civil society associations in the determination of policies and priorities for programming”.

### **Guidelines for the Promotion of Citizen Participation in Broadcasting**

The opening years of the twenty-first century are witnessing the continued expansion of all kinds of telecommunications which began in the nineteenth century and expanded exponentially in the last. As a result, while technological developments are subjected to forms of international discipline, no similar disciplines can be applied to the consequences of this expansion as it affects indigenous cultures and national identities.

In democratic societies, two of the most influential determinants of national identity are the nature of civil society and the debate which goes on within it. A country’s broadcasting services should provide part of the public sphere, the public forum for that debate to which individual citizens and institutions contribute their thinking on issues of general concern to the community. Their responsibility grows as radio and television become increasingly significant in the national life.

A strong relationship between the nation’s broadcasters and its citizens provides one of the means for withstanding threats to national identity implicit in market pressures and in multi-national media corporations’ capacity to introduce globalization and cultural homogenization. The promotion of a constructive dialogue between citizens and broadcasters is therefore vital. The exact terms in which that dialogue will be conducted will vary from one society to another. The underlying principle, however, must be one of mutual trust: first, trust by the broadcasters that the public will understand the practical constraints under which the broadcaster operates, particularly when dependent on commercial revenues or when the broadcaster is financed by direct government grant, and, secondly, trust by the public that the broadcasters will treat the dialogue seriously, not exploiting it as an opportunity to promote their public relations while failing to recognize any obligations towards accountability and good governance.

In the nature of things some dialogue participants – broadcasters (public or commercial), industry regulators and governments departments – function in an organizational context where they are underpinned by established structures and substantial resources which are not available to citizens at large. Voice of the Listener and Viewer, therefore, believes – based on common sense and its own experience – that, in order to be effective participants in the broadcasting dialogue, citizens must take specific organizational steps to group themselves and to optimize their impact.

In putting forward the proposals which follow, Voice of the Listener & Viewer makes no pretence that the transformation of principle into practice will be either easy or rapid, or the same in every society.

Nevertheless, we believe that, if carried out successfully, the process can make an invaluable contribution to the delivery of good governance and trust within the overall society

### 1. The Principles of a Citizen Group

The members of a group will be drawn to work together by a shared belief in the importance of broadcasting, one of the most powerful influences on culture, language, political life and values, within a community as a provider of education at all levels, different forms of information, ideas and entertainment. National circumstances determine the principal sources of funding for broadcasting services, but there are few societies in which opportunities cannot be found to include in the broadcasters' schedules material which, besides satisfying popular tastes, reflects the interest of the community in the widest sense. VLV believes that striking the balance between these different objectives should be the result of a democratically-conducted public dialogue within civil society between the public, broadcasters, government and other policy-makers which it is their purpose to facilitate. Each group will express its aims in the terms which are appropriate to its own society, but a model summary of aims might be expressed as follows:-

- To raise awareness of the role of broadcasting in the national life and in the lives of individual communities, as well as in the preservation and stimulus of the national culture and community.
- To promote a wide choice of high quality programmes.
- To encourage media literacy, that is, a better understanding of programme-making techniques and their underlying purposes.
- To maintain the editorial integrity of news, current affairs and documentary programmes.
- To oppose undue influence over broadcasting by commercial, political and sectarian interests.
- To ensure access throughout the country and by different communities to a diverse range of programming.
- To encourage public debate about current and future developments in broadcasting, with a special concern for the impact of new technologies.
- To ensure that public interest values are observed in those forms of the new media which converge with broadcasting?
- To provide an independent platform and forum for public dialogue and debate about broadcasting issues.
- To protect the interests of consumers of broadcasting from commercial exploitation.

In order to maintain the integrity of the group's final aim, the group should not allow itself to become a channel for individual complaints against broadcasters from members of the public, corporations or government departments, still less to become an arbitrator in disputes about staffing, etc. Broadcasters should, however, be encouraged themselves to establish clear means through which the public can register complaints and be satisfied that the complaints have been given a fair hearing and consideration. Where it is possible, complaint procedures should be handled by a separate organization, independent of the broadcaster at whom the complaint has been directed.

### 2. Forming a Group

The first initiative for forming a group may come from a small number of individuals, but it may equally well come from a group of women's organizations, trades unions or a set of academics within a single institution or drawn from several. The membership, however, should be sufficiently diverse to represent several distinct strands of interest and opinion, so that the group cannot be dismissed as concerned with only a single issue, however important it may seem. To be viable, a group has to be capable of carrying conviction in its dealings with broadcasters, government, policy-makers and other corporate interests, as well as with the public in general. It is not simply a matter of numbers, it also depends on the way in which a group presents itself, avoiding confrontation and pursuing a continuing, positive dialogue.

It is unlikely that broadcasters will themselves encourage the formation of such groups. Few take readily to the idea of discussing their activities, often regarding it as interfering with their ability to make their own decisions, preferring instead to conduct their relations with the public on their own terms. Groups should remember that the broadcasters' time and resources are often scarce and they will naturally be reluctant to use them for activities which may not, apparently, be of immediate value to them. While government

departments might be more willing to take an initiative, they too are often suspicious, and their motives may be ambivalent, often varying from one moment to the next as political circumstances change. In all relations, whether with broadcasters, government departments or others it is important for the group to retain its independence.

### **Communicating with the public and with members**

The methods that groups adopt will differ from place to place. In some instances, the local press may be the vehicle by which news of the venture is communicated – perhaps the first move towards the calling of a public meeting or a series of meetings. Again, groups need to be careful that they do not unwittingly become involved in a wider game plan, as sometimes newspaper proprietors may own radio and television companies which are in competition with the public broadcaster.

In other cases the founding of a newsletter is recommended as the opening move, gathering circulation until other kinds of activity become realistic. The creation of a website and email mailing list is another recommended way of launching an initiative, but its credibility will depend on its quality and the reliability of its content and also on the group's ability to update it regularly.

It is most probable, but not essential if internal communications are relatively good, that the initiative will begin in a large town, often the capital city. But it is most important that the group's activities and sphere of interest are not, or are not perceived to be, confined to urban areas: rural areas often stand to benefit more from improvements in broadcasting services than towns and cities where means of communication and entertainment are more readily available.

## **3. Funding and Resources**

### **(i) Accommodation, equipment and administration**

In the early stages of formation, it is highly likely that a new group will be run from a private house or, if fortunate, from space provided by a sympathetic company or institution with at least part-time access to a computer and the Web. Universities, colleges and schools are particularly useful in this respect. If the same organization is willing to support the cost of mailings or other forms of communication, such as telephone or email or to provide practical help and expertise in designing and maintaining a website, that is an added advantage. At the same time, individual members may be able and willing – and be encouraged – to donate time to carrying out specific activities. How much can be demanded, however, for even a modest range of activities will depend very much on the individual circumstances of the group and its members. Groups should also be careful to ensure that individuals do not use the authority the group may invest in them as an opportunity to promote their own personal views as representing those of the group.

### **(ii) Membership**

It is important to gain the support of members with different interests and perspectives from the start. Forming a group from scratch is not an easy task and mutual support is necessary, both moral and financial. One very useful way to begin, as outlined above, is by involving academics, if possible from more than one institution, and perhaps by seeking support from existing networks and groups, for example, women's groups, rural cooperatives, professional associations of say, teachers or medical workers or trade unions, as well as well-respected local professionals and other individuals.

### **(iii) Funding**

In many communities and at the start for most, members' subscriptions are unlikely to provide more than a part of a group's funding needs. However, even a very small sum can be useful and a valuable symbol of a member's commitment to the work of the group, and it is recommended that a sliding scale of subscriptions be introduced with concessions for students, pensioners and those on low incomes.

Sponsorship may seem an attractive source of funding but examples of sponsorship without strings are rare, whether it is offered by broadcasters, government or commercial corporations. All commercial companies have their own goals and corporate image to maintain and many are reluctant to be seen to be associated with controversial activities, views or personalities. If help is taken from a commercial company, care should be taken to ensure the company's interests lie outside the core purposes of the group and that it has no financial interest in broadcasting. Great care is also needed if sponsorship or grants are offered by government, political parties or religious institutions, lest they seek to influence the group's policies. Often there is a

danger of ‘self-censorship’ in relation to sponsorship, when members of the group might feel that actions they propose to take might not be approved by the sponsor. Charitable trusts and foundations, where they exist, may be able to give assistance, especially in the early days of formation, but again it will be necessary to check their objects and that by accepting help from them the group will not be labelled in any way. Inevitable, whenever a new group is formed or becomes powerful, some of those in the institutions the group is trying to influence, will see it as a threat and immediately try to label it as ‘left-wing’, ‘right-wing’ or a pressure group for a particular profession or interest group. Once this happens the label is difficult to lose and may well colour public perception for years to come.

#### 4. Governance and Activities

##### (i) Formation of a Management Committee

The group will begin with a small self-appointed steering committee of enthusiastic members who decide to work together for a common aim. If possible the steering committee should seek advice on procedure and funding from respected professionals or institutions. As soon as it is practicable the steering committee should establish a small executive committee. Ideally this should be done at a meeting of all known interested persons, or at a public meeting, where the proposed members of the executive can be seen and voted for. In order to prevent a self-perpetuating clique emerging, it is desirable to limit the term of office of members of the executive to two or three years, with a compulsory break after say, two terms in office. Such a system encourages a turn-over in committee membership and prevents one powerful personality controlling policy. As the organization grows, sub-committees can be set –up to deal with specific activities and to encourage wider participation by other members, but the power to act or speak on behalf of the organization must always rest with the main committee or board. An important early activity of the executive committee will be to develop and maintain relations with the public and also with broadcasters, government departments, policy-makers, regulators and others whose opinions may be influential in broadcasting, the press and new media matters. The committee should also consider formalizing policy and a few basic rules in a written constitution - in the drafting of which professional legal help should be employed. Clear rules should be established for responsibilities such as handling and accounting for funds, and for recording decisions taken at meetings. The general practice is that a treasurer will be appointed to handle all the financial matters and a secretary the recording of decisions, etc. A membership secretary will be needed to oversee the register of members and to ensure that, for example, rules regarding the privacy of members’ names are followed if members desire it.

##### (ii) Liaison Meetings

Meetings between committee-members and senior figures in different forms of broadcasting or managers in other relevant organizations, apart from furthering understanding, are important for obtaining information for distribution by the best available means to members and to the wider public. In this respect the use of a website is increasingly important.

##### (iii) Membership Meetings

Conditions may not always allow the regular convening of meetings of members, but, where possible, members should be encouraged to come together from time to time to express opinions, raise issues and be brought up-to-date with the thinking of the executive committee. Again, it is very important that the committee is approachable and does not allow itself to appear as an exclusive clique or elite.

An annual general meeting of some sort is highly desirable, if not essential, at which the executive committee can meet members, explain the policies they are following and be questioned by members. This is the occasion for the executive to be elected or at least validated. It may also be possible to take the opportunity to invite a senior broadcaster, minister or policy-maker to speak at the meeting and engage in debate with the members. It may also be useful for members to meet men and women who contribute to programmes, for example as producers, performers or writers because this always helps them to gain an understanding of how programmes are made and the constraints under which the broadcasters work.

##### (iv) Publishing an Newsletter

Information, obtained by one of the means described above, should be communicated to the membership as soon and as frequently as possible and any responses should be carefully considered so that the opinions expressed by the Committee are truly representative. The correspondence columns of a newsletter, whether in print or delivered electronically, can encourage this interaction and also serve as a vehicle for news about

members in different locations, their particular concerns and their activities. It can provide an opportunity to share opinions, news and experience, for example in ways of recruiting new members or in fund raising. The editor will need to be carefully selected and briefed in order to ensure that (a) the newsletter is produced to as high a standard as possible – it should be remembered that it will probably be the main communication tool both with members and quite likely also with the outside public; and (b) that it reflects the views of the membership and executive committee, *not* of the individual editor.

#### **(v) Government and Other Public Consultations**

It is a growing practice in some countries for government, regulators and broadcasters to consult the public in advance of new policy proposals. Consultation may take the form of open public meetings or documents requiring a written response by a particular deadline. In either case it is important that considered responses are returned based on the known views of the membership. Responses should also be made publicly available as this will increase the transparency of the group's governance and, if well-argued and presented, will build respect for the group.

#### **(vi) Meetings with Broadcasters and Policy-Makers**

It is important at an early stage to reassure the broadcasters that the aims of the new group are not confrontational. 'Marching' on the broadcaster's headquarters with a list of demands rarely achieves any good and is much more likely to provoke a determination to resist them at all costs. The conduct of broadcasting operations, often under constraints of different kinds, some of which may not be immediately apparent, is difficult in any society, and the purpose of the group should be to persuade the broadcasters that dialogue and perhaps support from the group offer one way of making their task easier. Meetings between the group and senior managers should develop into regular occasions, either between the broadcasting managers and the group's officers but also if possible with a larger number of group members. Trust and respect from both sides is all-important.

#### **(vii) Social Events**

Although it may be unrealistic in some communities, opportunities may exist and should be sought if possible for members to pay visits to broadcasting installations – for example, studios, transmitters and research facilities – which will contribute to their understanding of how broadcasting operations are organized and financed. On other occasions it may be possible to hold social or semi-educational events in conjunction with, say, a particular broadcast. These might take the form of a social gathering, possibly with a related talk or demonstration, before an outside broadcast such as a concert or sporting event. They may also take the form of a series of lectures; or alternatively, climate permitting, of a special event such as the 'Picnics in the Park' organized by the Friends of the ABC in Australia. At these rallies, held outdoor in the summer, Friends of the ABC come together to meet, share ideas, see exhibitions and hear specialist speakers: activities which help to build the cohesion of the group and at the same time to increase members' understanding of the practical and political issues involved in running a state funded public service broadcaster.

#### **Conclusion**

Each country, culture and society will seek to find its own solution to the problem of creating a dialogue with its broadcasters and other policy-makers. These guidelines are based very much on the experience of Voice of the Listener & Viewer (VLV) which was formed in 1983 and is the leading advocate of the citizen and consumer interest within broadcasting in the UK. They have served us well and have helped VLV to gain respect in the industry and in government. We find that more and more groups are approaching us for help in setting themselves up. Our experience is that it is not easy, particularly in regard to funding. It is however, essential to retain independence of action and not to be perceived as serving one particular interest or section of society. In this it is important not to provide an excuse for easy labeling, and not to allow the group to become dependent on one source of funding or to be captured by a particular clique or set of interests. Independence, plurality and democracy in decision-making are the key to gaining respect and recognition.

**LESSON 45****“MEDIA IN THE 21<sup>ST</sup> CENTURY”**

**Note:** The handout for this lecture which is the last of the series of 45 lectures provides students with an excerpt from one of the principal features contained in a special double issue of the well-known international journal, Newsweek. Published on June 6-June 13, 2005 as a technology double issue, the magazine published a series of reports under the cover story titled: “The Future of TV: How Technology Will Revolutionize What You See and How You Watch”. The particular excerpt is taken from the feature titled: “Television Reloaded” under the sub-section titled: “Next Frontiers” and is written by Steven Levy.

In some respects, the references made in this feature to the new emerging technologies of TV and computers are already being indicated or introduced to the world in 2005-2006. But much more is to come.

Students are advised to try to use the archives or the Internet-based library / memory of Newsweek magazine through its website i.e. <http://www.newsweekinternational.com> to obtain the remaining text of this special issue and be able to visualize the directions of media development in the 21<sup>st</sup> century.

At the same time, students are advised to refer to the 3 books listed in the recommended reading list for lecture # 45. While one of the books i.e. “Understanding Media” by Marshall McLuhan has already been used to provide a handout to students for lecture # 39, students are urged to re-read the same handout and, if possible, read the entire book as it contains several profound observations that will apply well into the 21<sup>st</sup> century.

The other 2 books listed in the reading list for lecture # 45 are not directly concerned with the media but provide an excellent way to take note of the economic, political and social factors that will determine the world of the 21<sup>st</sup> century and also help explore new ways of enhancing and strengthening mental and intellectual ability.

**THE END**